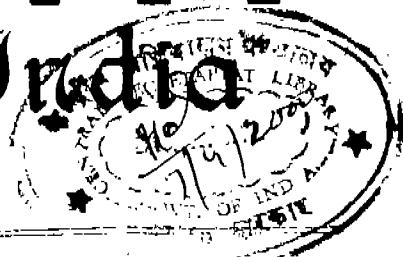




भारत का राजपत्र

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इस भाग में विभिन्न पृष्ठ संख्या दी जाती है जिससे कि यह प्रत्येक संख्या के रूप में
रखा जा सके।

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-Section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय की छोड़कर) द्वारा जारी किए गए सार्विधिक प्राप्तिरक्षण और प्रधिसूचनाएँ
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(other than the Ministry of Defence)

वित्त मंत्रालय
(राजस्व विभाग)
(केन्द्रीय प्रत्यक्ष कर बोर्ड)
नई दिल्ली, 4 अक्टूबर, 1999
(आयकर)

का. आ. 3599.—आयकर नियमावली, 1962
के नियम 2 ग क के साथ पठित आयकर अधिनियम, 1961
(1961 का 43) की धारा 10 के खण्ड (23C) के
उपखण्ड (VI) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए,
केन्द्रीय प्रत्यक्ष कर बोर्ड एक्सड्वारा उपर्युक्त खण्ड के प्रयोजनार्थ
कर-निर्धारण वर्ष 1999-2000 से 2001-2002 तक के
लिए, "शास्त्रीय इंस्टीट्यूट ऑफ लोकल सेल्फ गवर्नेंट,
मुम्बई" को अमुमोदित करता है।

बाहरें कि संस्थान आयकर नियम, 1962 के नियम 2
ग क के साथ पठित आयकर अधिनियम, 1961 की धारा

10 के खण्ड (23C) के उपखण्ड (VI) के उपबंध, के
प्रत्युत्तम हो और उनका अनुपालन करता हो।

[प्रधिसूचना सं. 11093/फा. सं. 197/102/99—
ग्रा. क. नि. I]

प्रोमिला भारद्वाज, निवेदक

MINISTRY OF FINANCE
(Department of Revenue)
CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 4th October, 1999

(INCOME TAX)

S.O. 3599.—In exercise of the powers conferred by the sub-
clause (vi) of clause (23C) of section 10 of the Income-tax
Act, 1961 (43 of 1961), read with rule 2CA of the Income-tax
Rules, 1962, the Central Board of Direct Taxes hereby ap-
proves the "All India Institute of Local Self Government,
Mumbai", for the purpose of the said section for the assess-
ment years 1999-2000 to 2001-2002.

Provided that the Institute conforms to and complies with the provisions of sub-clause (vi) of clause (23C) of section 10 of the Income-tax Act, 1961, read with rule 2CA of the Income-tax Rules, 1962.

[Notification No. 11093/F. No. 197/102/99-ITA-I]
PROMILA BHARDWAJ, Director

नई दिल्ली, 4 अक्टूबर, 1999

(आयकर)

का.आ. 3600.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (V) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार एवं द्वारा “इन्स्टीट्यूशन एट बर्मस्थल, कनटिक” को कर-निर्धारण वर्ष 1997-98 से 1999-2000 तक के लिए निम्नलिखित गतों के अधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई;
- कर-निर्धारिती ऊपर-उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनियोग किसी एक अथवा एक से अधिक छँग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहरात, फर्नीचर आदि के रूप में प्राप्त लाभ तथा रख-रखाव में स्वैच्छिक अंशदान में भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- यह अधिसूचना किसी ऐसी आय के संबंध में लाभ नहीं होगी जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसा कारोबार के संबंध में अलग से लेखा-पुस्तकाएँ नहीं रखी जाती हों।

[अधिवचना सं. 11094/फा. सं. 197/104/99-आयकर]
नि.-I)

प्रोमिला भारद्वाज, निदेशक

New Delhi, the 4th October, 1999

(INCOME TAX)

S.O. 3600.—In exercise of the powers conferred by the sub-clause (v) of clause (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies the “Institution at Dharamsthala, Karnataka” for the purpose of the said sub-clause for the assessment years 1997-98 to 1999-2000 subject to the following conditions, namely:

- the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;

(ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise their in any one or more of the forms or modes specified in sub-section (5) of Section 11;

(iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 11094/F. No. 197/104/99-ITA-II]

PROMILA BHARDWAJ, Director

नई दिल्ली, 4 अक्टूबर, 1999

(आयकर)

का.आ. 3601.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (V) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार एवं द्वारा “श्री चित्तपुर मठ, बंगलूर” को कर-निर्धारण वर्ष 1996-97 से 1998-99 तक के लिए निम्नलिखित गतों के अधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- कर निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- कर निर्धारिती ऊपर-उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान, धारा 11 की उपधारा (5) में विनियोग किसी एक अथवा एक से अधिक छँग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहरात, फर्नीचर आदि के रूप में प्राप्त लाभ तथा रख-रखाव में स्वैच्छिक अंशदान में भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करेगा;
- यह अधिसूचना किसी ऐसी आय के संबंध में लाभ नहीं होगी जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हो, जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए के प्रासंगिक नहीं हो तथा ऐसा कारोबार, के संबंध में अलग से लेखा-पुस्तकाएँ नहीं रखी जाती हो।

[अधिसूचना सं. 11097/फा. सं. 197/111/99-आयकर]

नि.-I)

प्रोमिला भारद्वाज, निदेशक

New Delhi, the 4th October, 1999

(INCOME TAX)

S.O. 3601.—In exercise of the powers conferred by the sub-clause (v) of clause (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies the "Sree Chitrapur Math, Bangalore" for the purpose of the said sub-clause for the assessment years 1996-97 to 1998-99 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established ;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above other wise than in any one or more of the forms or modes specified in sub-section (5) of Section 11 :
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 11097/F. No. 197/111/99-ITA-I]

PROMILA BHARDWAJ, Director

नई दिल्ली, 4 अक्टूबर, 1999

(आयकर)

का. आ. 3602.—आयकर नियमावली, 1962 के नियम 2 ग के साथ पठित आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखंड (vi) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय प्रत्यक्ष कर बोर्ड एतदद्वारा "ज्ञान भारती, कलकत्ता" को उक्त धारा के प्रयोजनार्थ कर निर्धारण वर्ष 1999-2000 से 2001-2002 तक अनुमोदित करता है।

बशर्ते कि सोसाइटी आयकर नियमावली, 1962 के नियम 2 ग के साथ पठित आयकर अधिनियम, 1961 की धारा 10 के खण्ड (23-ग) के उपखंड (VI) के उपबंधों के अनुरूप हो और उनका अनुपालन करती हों।

[अधिसूचना सं. 11095/फा. सं. 197/107/99-

आ. क. नि. I]

प्रोमिला भारद्वाज, निदेशक

New Delhi, the 4th October, 1999

(INCOME TAX)

S.O. 3602.—In exercise of the powers conferred by the sub-clause (vi) of clause (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), read with rule 2CA of the Income-tax Rules, 1962, the Central Board of Direct Taxes hereby approves the "Gyan Bharati, Calcutta" for the purpose of the said section for the assessment years 1999-2000 to 2001-2002.

Provided that the Society conforms to and complies with the provisions of sub-clause (vi) of clause (23C) of section 10 of the Income-tax Act, 1961, read with rule 2CA of the Income-tax Rules, 1962.

[Notification No. 11095/F. No. 197/107/99-ITA-I]
PROMILA BHARDWAJ, Director

नई दिल्ली, 4 अक्टूबर, 1999

(आयकर)

का. आ. 3603.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतदद्वारा "श्री गणपति सचिच्चानन्द अवधूत दत्त पीठ द्रुष्ट, मैसूर," को कर निर्धारण वर्ष 1999-2000 से 2001-2002 तक के लिए निम्नलिखित शर्तों के अध्यधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (1) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है ;
- (2) कर-निर्धारिती ऊपर-उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी श्रवणिक के द्वारा धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक छंग अथवा तरीकों से भिन्न तरीकों से उसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशावान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा ;
- (3) यह अधिसूचना किसी ऐसी आय के संबंध में नागृ नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हो, जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो सका ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकार्य नहीं रखी जाती हो।

[अधिसूचना सं. 11096/का. सं. 197/108/99-

आ. क. नि. I]

प्रोमिला भारद्वाज, निदेशक

New Delhi, the 4th October, 1999

(INCOME-TAX)

S.O. 3603.—In exercise of the powers conferred by the sub-clause (v) of clause (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Sri Ganupati Saghidananda Avadhoota Datta Peetha Trust, Mysore" for the purpose of the said sub-clause for the assessment years 1999-2000 to 2001-2002 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established ;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any

period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;

- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 11096/F. No. 197/108/99-ITA-II
PROMILLA BHARDWAJ, Director

नई दिल्ली, 8 नवम्बर, 1999

आयकर

का.आ. 3604.—आयकर नियमावली, 1962 के मियम 2ग के साथ पठित आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (vi) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय प्रत्यक्ष कर बोर्ड एतद्वारा “द महिन्द्रा यूनाइटेड बल्ड कालेज आफ इण्डिया, मुम्बई” को कर निर्धारण वर्ष 1998-99 से 2000-2001 तक के लिए उक्त धारा के प्रयोजनार्थ अनुमोदित करता है।

बताते हैं कि उक्त ट्रस्ट आयकर नियमावली, 1962 के मियम 2 गक के साथ पठित आयकर अधिनियम, 1961 की धारा 10 के खण्ड (23-ग) के उपखण्ड (vi) के उपर्योगों के अनुकूल हो और उनका अनुपालन करें।

[अधिसूचना सं. 11120(का.फा.सं. 197/117/99)]

आयकर नि.-I)

मोना एम. वर्मा, अवर सचिव

New Delhi, the 8th November, 1999

(INCOME-TAX)

S.O. 3604.—In exercise of the powers conferred by the sub-clause (vi) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), read with rule 2CA of the Income-tax Rules, 1962, the Central Board of Direct Taxes hereby approves “The Mahindra United World College of India, Mumbai” for the purpose of the said section for the assessment years 1998-99 to 2000-2001.

Provided that the Trust conforms to and complies with the provisions of sub-clause (vi) of clause (23C) of Section 10 of the Income-tax Act, 1961, read with rule 2CA of the Income-tax Rules, 1962.

[Notification No. 11120/F. No. 197/117/99-ITA-I]
MONA M. VERMA, Under Secy.

नई दिल्ली, 8 नवम्बर, 1999

आयकर

का.आ. 3605.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा “कांग्रेस शन आँफ द फासिसकन सिस्टर्स आँफ द प्रेजेटेशन आँफ द ब्लेस्ट विरजिन मेंडी कोयम्बटूर” को कर निर्धारण वर्ष 1999-2000 से 2001-2002 तक के

लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपखण्ड के प्रयोजनार्थ अधिसूचित करती है, अधिन्:—

- (i) कर-निर्धारिती इसकी आय का छल्केमाल अथवा इसकी आय का छल्केमाल करने के लिए इसका संचयन पूर्णतया तथा अनामतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (ii) कर-निर्धारिती ऊपर उल्लिखित कर निर्धारण वर्षों में संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनियोग किसी एक अथवा एक से अधिक द्वंग अथवा, तरीकों से भिन्न तरीकों से उसकी निधि (जेवर जघाहिरात, फर्मीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक श्रावदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा।
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जोकि कारोबार से प्राप्त नाभ तथा अभिलाभ हो, जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसा कारोबार के संबंध में अलग में लेका-पुस्तिकाण नहीं रखी जाती हो।

[अधिसूचना सं. 11121/का.सं. 197/96/99-आ.का.मि. I]

प्रोमिला भारद्वाज, निवेशक.

New Delhi, the 8th November, 1999

(INCOME-TAX)

S.O. 3605.—In exercise of the powers conferred by the sub-clause (v) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “The Congregation of the Franciscan Sisters of the Presentation of the Blessed Virgin Mary, Coimbatore” for the purpose of the said sub-clause for the assessment years 1999-2000 to 2001-2002 subject to the following conditions, namely:—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 11121/F. No. 197/96/99-ITA-I]

PROMILLA BHARDWAJ, Director

नई दिल्ली, 8 नवम्बर, 1999

(प्राप्तकर)

का.आ. 3606.— प्राप्तकर अधिनियम, 1961(1961 का 43) की धारा 10 के खण्ड (23-ग) के उपबंध (v) द्वारा प्रदत्त घटियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा “श्री साई बाबा संस्थान” शिर्डी, पा.प्रा. शिर्डी, जिला अहमदनगर, महाराष्ट्र” को कर-निर्धारण वर्ष 1999-2000 से 2001-2002 तक के लिए निम्नलिखित घटों के अधीन रहते हुए उक्त उप-खण्ड के प्रयोजनार्थ अधिसूचित करती है, अर्थात्:—

- कर्ननिर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संबंधन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा जिनके लिए इसकी म्हापना की गई है;
- कर/निर्धारिती उपर-उल्लिखित कर-निर्धारण वर्षों में संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनियिष्ट किसी एक अथवा एक से अधिक ढंग अथवा नरीकों से भिन्न तरीकों से उसकी निधि (जेष्ठ-ज्येष्ठाहिरात, फर्नीचर आदि के रूप में प्राप्त सभा रख-रखाव में स्वैच्छिक अंशदान में भिन्न) का निवेश नहीं करेगा अथवा उमे जमा नहीं करवा सकेगा;
- यह अधिसूचना किसी ऐसी आव के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हो, जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासारिक नहीं हों तथा ऐसे कारोबार के संबंध में अलग से लेखा पुस्तकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 11122/फा. सं. 197/125/99-प्राप्तकर नि.]

मोना प्रम. वर्मा, अध्यकर सचिव

New Delhi, the 8th November, 1999

(INCOME-TAX)

S.O. 3606.—In exercise of the powers conferred by the sub-clause (v) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies the “Shri Saibaba Sansthan, Shirdi, P.O. Shirdi, Distt. Ahmednagar, Maharashtra” for the purpose of the said sub-clause for the assessment years 1999-2000 to 2001-2002 subject to the following conditions, namely:—

- the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the

assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;

(iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 11122/F. No. 197/125/99-ITA-II
MONA M. VERMA, Under Secy.

नई दिल्ली, 3 दिसम्बर, 1999

का.आ. 3607.—यह आम सूचना के लिए अधिसूचित किया जाता है कि केन्द्र सरकार द्वारा नीचे पैरा 3 में उल्लिखित उद्यमों को आयकर नियमावली, 1962 के नियम 2 ड के साथ पठित आयकर अधिनियम, 1961 की धारा (10) (23) के प्रयोजनार्थ कर-निर्धारण वर्ष 1999-2000, 2000-2001 तथा 2001-2002 के लिए अनुमोदित किया गया है।

2. यह अनुमोदन निम्नलिखित घटों के अधीन है:—

(i) उद्यम/औद्योगिक उपक्रम आयकर नियमावली, 1962 के नियम 2ड के साथ पठित आयकर अधिनियम, 1961 की धारा 10(23) के उपबंधों के अनुरूप होगा और उनकी अनुपालना करेगा।

(ii) केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि उद्यम/औद्योगिक उपक्रम :

(क) अवसंचनात्मक विधि को जारी नहीं रखता है;

(ख) लेखा-बहियों का रख-रखाव नहीं करता है और ऐसी बहियों को आयकर नियमावली, 1962 के नियम 2ड के उपनियम (7) द्वारा अपेक्षानुसार लेखाकार द्वारा लेखा परीक्षा नहीं करवाता है; अथवा

(ग) आयकर नियमावली, 1962 के नियम 2ड के उपनियम (7) द्वारा अपेक्षानुसार लेखापरीक्षण रिपोर्ट प्रस्तुत नहीं करता है।

3. अनुमोदित उद्यम है:—(फा. सं. 205/97/99-प्राप्तकर नि. II)

(i) कार्यकारी इंजीनियर, प्रत्यायरनमेटल इंजीनियरिंग वर्क्स डिवीजन सं. 1, अकोला महाराष्ट्र जल आपूर्ति और मलजल बोर्ड और मेसर्स प्राप्त एम.एम.एम. पर्यावरण प्राइवेट लिमिटेड के मध्य दिनांक 15-7-96 के कागज संख्या बी/1/16 के अंतर्गत मैमर्स प्राप्त एम.एम. पर्यावरण प्राइवेट लिमिटेड,

- (i) 216 वत्स मार्किट (शिव मार्किट के पीछे) पीतमपुरा, दिल्ली-110034 द्वारा चिन्हाली में 10. 25 एम. एल. डी. जल उपचार संयंत्र का निर्माण और प्रारंभ ।
- (ii) कार्यकारी इंजीनियर सिचाई एवं लोक स्वास्थ्य विभाग, हिमाचल प्रदेश और मैसर्स एस०एम०एस० पर्यावरण प्राइवेट लिमिटेड के मध्य दिनांक 3-9-96 के 1997-98 के करार सं. 7 के अन्तर्गत मैसर्स एस०एस०एस० पर्यावरण प्राइवेट लिमिटेड, 216, वत्स मार्किट (शिव मार्किट के पीछे) पीतमपुरा, दिल्ली-110034 द्वारा मनाली में 2.15 एम. एल. डी. जल. उपचार संयंत्र की स्थापना और प्रारंभ ।
- (iii) कार्यकारी इंजीनियर, वक्स डिवीजन सं. 2, नानदेह, महाराष्ट्र जल आपूर्ति और मलजल बोर्ड और मैसर्स एस. एम. एस. पर्यावरण प्राइवेट लिमिटेड के मध्य दिनांक 28-2-97 के 1996-97 के करार सं. बी 1/17 के अन्तर्गत मैसर्स एस०एस०एस० पर्यावरण प्राइवेट लिमिटेड, 216 वत्स मार्किट (शिव मार्किट के पीछे) पीतमपुरा, दिल्ली-110034 द्वारा उदगिर में कनवेन्शनल टाईन 7.7 एम.एल.डी.जल उपचार संयंत्र का निर्माण और प्रारंभ ।
- (iv) कार्यकारी इंजीनियर, एनवायरनमेंट डिवीजन सं. 1 अकोला, महाराष्ट्र जल आपूर्ति एवं मलजल बोर्ड और मैसर्स एस०एस०एस० पर्यावरण प्राइवेट लिमिटेड के मध्य दिनांक 12-9-97 के करार सं. बी-1-4/97-98 के अन्तर्गत मैसर्स एस०एस०एस० पर्यावरण प्राइवेट लिमिटेड, 216 वत्स मार्किट (शिव मंदिर के पीछे) पीतमपुरा, दिल्ली-110034 द्वारा बुधाना जल आपूर्ति स्कीम का संवर्धन 25 लाख लीटर ई०एस०आर० और वितरण प्रणाली का निर्माण ।
- (v) कार्यकारी इंजीनियर, महाराष्ट्र जीवन प्राधिकरण वक्स डिवीजन, वर्धा और मैसर्स एस०एस०एस० पर्यावरण प्राइवेट लिमिटेड के मध्य दिनांक 24-12-97 के 1997-98 के करार सं. बी-1-52-97-98 के अन्तर्गत मैसर्स एस०एस०एस० पर्यावरण प्राइवेट लिमिटेड, 216, वत्स मार्किट (शिव मार्किट के पीछे) द्वारा नाचनगांव, गुजखेघा और झेंग शेंगीय ग्रामीण जल आपूर्ति स्कीम का संवर्धन ।
- (vi) कार्यकारी इंजीनियर, महाराष्ट्र जीवन प्राधिकरण वक्स डिवीजन, वर्धा और मैसर्स एस०एस०एस० पर्यावरण प्राइवेट लिमिटेड के मध्य दिनांक 24-12-97 के 97-98 के करार सं. बी-1/53-97-98 के अन्तर्गत मैसर्स एस०एस०एस० पर्यावरण प्राइवेट लिमिटेड, 216, वत्स मार्किट (शिव मार्किट के पीछे) द्वारा करनजा जल आपूर्ति स्कीम का संवर्धन ।
- (vii) कार्यकारी इंजीनियर, महाराष्ट्र जीवन प्राधिकरण वक्स डिवीजन, कानबेल और एस०एस०एस० पर्यावरण प्राइवेट लिमिटेड के मध्य दिनांक 13-5-98 के 98-99 के करार सं. बी-1/6-98-99 के अन्तर्गत मैसर्स एस०एस०एस० पर्यावरण प्राइवेट लिमिटेड 216, वत्स मार्किट (शिव मार्किट के पीछे) पीतमपुरा, दिल्ली-110034 द्वारा खपोली मलजल स्कीम खपोली में 28.50 एम०एल०डी० अमता का मलजल उपचार संयंत्र का निर्माण और प्रारंभ ।
- (viii) कार्यकारी इंजीनियर, महाराष्ट्र जीवन प्राधिकरण वक्स डिवीजन, बुलधाना और मैसर्स एस०एस०एस० पर्यावरण प्राइवेट लिमिटेड के मध्य दिनांक 15-5-98 के 98-99 के करार सं. बी-1/13-98-99 के अन्तर्गत मैसर्स एस०एस०एस० पर्यावरण प्राइवेट लिमिटेड, 216, वत्स मार्किट (शिव मार्किट के पीछे) द्वारा बुलधाना टर पण्ड मराउडिंग्स 13 विनेज के लिए जल आपूर्ति-19 एम०एल०डी०उपचार संयंत्र का निर्माण और प्रारंभ ; कच्चे जल के पम्प को मुख्य पम्प के साथ जोड़ना ।
- (ix) कार्यकारी इंजीनियर, सिचाई एवं लोक स्वास्थ्य डिवीजन, धर्मशाला (हि० प्र०) और मैसर्स एस०एस०एस०पर्यावरण प्राइवेट लिमिटेड के मध्य दिनांक 27-6-98 के 98-99 के करार सं. 147/98-99 के अन्तर्गत मैसर्स एस०एस०एस० पर्यावरण प्राइवेट लिमिटेड 216, वत्स मार्किट (शिव मार्किट के पीछे) पीतमपुरा, दिल्ली-110034 द्वारा चामुडा नंदिकेश्वर मंदिर और आस-पास के गांवों को जल आपूर्ति स्कीमों का संवर्धन—2.44 एम०एल०डी० जल उपचार संयंत्र का निर्माण और प्रारंभ ।

- (x) कार्यकारी इंजीनियर, महाराष्ट्र जीवन प्राधिकरण, वर्क्स डिवीजन, कर्श और मैसर्स एम एम एस पर्यावरण प्राइवेट लिमिटेड के मध्य दिनांक 3-8-98 के 98-99 के करार सं. बी 1/20-98-99 के अन्तर्गत मैसर्स एम एम एस पर्यावरण प्राइवेट लिमिटेड, 216, वत्स मार्किट (शिव मार्किट के पीछे) पीतमपुरा, दिल्ली-110034 द्वारा संघर्ष गांव जल आपूर्ति स्कीम ।
- (xi) कार्यकारी इंजीनियर, महाराष्ट्र जीवन प्राधिकरण वर्क्स डिवीजन पानबेल और मैसर्स एस एस एस पर्यावरण प्राइवेट लिमिटेड के मध्य दिनांक 19-1-99 के 1999-2000 के करार सं. बी-1/12 के अन्तर्गत मैसर्स एस एस एस पर्यावरण प्राइवेट लिमिटेड, 216, वत्स मार्किट (शिव मार्किट के पीछे), पीतमपुरा, दिल्ली-110034 द्वारा कर्जत जल आपूर्ति स्कीम का संवर्धन-8.52 एम एल ही जल उपचार संयंत्र का निर्माण और प्रारंभ और ही एस आर/जी एस आर का वितरण ।
- (xii) कार्यकारी इंजीनियर, महाराष्ट्र जीवन प्राधिकरण, वर्क्स डिवीजन, खासगांव और मैसर्स एस एस पर्यावरण प्राइवेट लिमिटेड के भव्य दिनांक 11-5-99 के 1999-2000 के करार सं. बी 1/12-1999-2000 के अन्तर्गत मैसर्स एस एस एस पर्यावरण प्राइवेट लिमिटेड, 216, वत्स मार्किट (शिव मार्किट के पीछे), पीतमपुरा, दिल्ली-110034 द्वारा मोरखेड और सता अन्य गांवों के लिए ग्रामीण समृह जल आपूर्ति स्कीम ।
- (xiii) कार्यकारी इंजीनियर, महाराष्ट्र जीवन प्राधिकरण वर्क्स डिवीजन, भंडारा और मैसर्स एस एस पर्यावरण प्राइवेट लिमिटेड के मध्य दिनांक 11-5-99 के 1999-2000 के करार सं. बी 1/7-1999-2000 के अन्तर्गत मैसर्स एस एस पर्यावरण प्राइवेट लिमिटेड 216, वत्स मार्किट (शिव मार्किट के पीछे), पीतमपुरा, दिल्ली-110034 द्वारा खास्वी, सिरेगांव और समृह गांवों के लिए क्षेत्रीय ग्रामीण जल आपूर्ति स्कीम ।
- (xiv) कार्यकारी इंजीनियर, महाराष्ट्र जीवन प्राधिकरण वर्क्स डिवीजन, भंडारा और मैसर्स एस एस

पर्यावरण प्राइवेट लिमिटेड के मध्य दिनांक 29-5-99 के 1999-2000 के करार सं. बी-1/12-1999-2000 के अन्तर्गत मैसर्स एस एस पर्यावरण प्राइवेट लिमिटेड, 216 वत्स मार्किट (शिव मार्किट के पीछे) द्वारा अर्जनी मोर और समृह गांवों के लिए क्षेत्रीय ग्रामीण जल आपूर्ति स्कीम ।

[अधिसूचना सं. 11157/फा. सं. 205/97/99-आईटीए-टी-II]

कमलेश मी. वाणीय, अधिकारी सचिव

New Delhi, the 3rd December, 1999

S.O. 3607.—It is notified for general information that enterprises listed at para (3) below have been approved by the Central Government for the purpose of section 10(23G) of the Income-tax Act, 1961, read with rule 2E of the Income-tax Rules, 1962, for the assessment years 1999-2000, 2000-2001 and 2001-2002.

2. The approval is subject to the condition that

- the enterprise/industrial undertaking will conform to and comply with the provisions of section 10(23G) of the Income-tax Act, 1961, read with rule 2E of the Income-tax Rules, 1962;
- the Central Government shall withdraw this approval if the enterprise/industrial undertaking—
 - ceases to carry on infrastructure facility; or
 - fails to maintain books of account and get such accounts audited by an accountant as required by sub-rule (7) of rule 2E of the Income-tax Rules, 1962; or
 - fails to furnish the audit report as required by sub-rule (7) of rule 2E of the Income-tax Rules, 1962.

3. The enterprises approved are (F. No. 205/97/99/ITA-II)—

- Construction and commissioning of 10.25 MLD Water Treatment Plant at Chikhali by M/s. S.M.S. Paryavaran Private Limited, 216 Vats Market (behind Shiva Market), Pitampura, Delhi-110034, under the Agreement No. B-1/16 of 1996-97 dated 15-7-96 between Executive Engineer, Environmental Engineering Works Division No. 1, Akola, Maharashtra Water Supply and Sewerage Board and M/s. S.M.S. Paryavaran Private Limited

- (ii) Installation and Commissioning of 2.15 MLD Water Treatment plant at Manali by M/s. S.M.S. Paryavaran Private Limited, 216 Vats Market (behind Shiva Market), Pitampura, Delhi-110034 under the Agreement No. 7 of 1997-98 dated 3-9-96 between Executive Engineer irrigation and Public Health Department, Himachal Pradesh and M/s. S.M.S. Paryavaran Private Limited.
- (iii) Construction and Commissioning of Conventional Type 7.7 MLD Water Treatment Plant at Udgir by M/s. S.M.S. Paryavaran Private Limited, 216 Vats Market (behind Shiva Market), Pitampura, Delhi-110034 under the Agreement No. B-1/17 of 1996-97 dated 28-2-97 between Executive Engineer, Works division No. 2, Nanded, Maharashtra Water Supply and Sewerage Board and M/s. S.M.S. Paryavaran Private Limited.
- (iv) Augmentation to Budhana Water Supply Scheme—Construction of 25 lac liters ESR and distribution system by M/s. S.M.S. Paryavaran Private Limited, 216 Vats Market (behind Shiva Market), Pitampura, Delhi-110034 under the Agreement No. B/1-4/1997-dated 12-9-97 between Executive Engineer, Environment Division No. 1, Akola, Maharashtra Water Supply and Sewerage Board and M/s. S.M.S. Paryavaran Private Limited.
- (v) Augmentation to Nachangaon, Gunjkheda and Hiwra Regional Rural Water Supply Scheme by M/s. S.M.S. Paryavaran Private Limited, 216 Vats Market (behind Shiva Market), Pitampura, Delhi-110034 under the Agreement No. B-1/52 of 97-98 dated 24-12-97 between Executive Engineer, Maharashtra Jeevan Pradhikaran Works Division, Wardha and M/s. S.M.S. Paryavaran Private Limited.
- (vi) Augmentation to Karanja Water Supply Scheme by M/s. S.M.S. Paryavaran Private Limited, 216 Vats Market (behind Shiva Market), Pitampura, Delhi-110034, under the Agreement No. B-1/53 of 97-98 dated 24-12-97 between Executive Engineer, Maharashtra Jeevan Pradhikaran Works Division, Wardha and M/s. S. M. S. Paryavaran Private Limited.
- (vii) Khopoli Sewerage Scheme—Construction and commissioning of Sewerage Treatment Plant of 28.50 MLD capacity at Khopoli by M/s. S.M.S. Paryavaran Private Limited, 216 Vats Market (behind Shiva Market) Pitampura, Delhi-110034, under the Agreement No. B-1/6 of 98-99 dated 13-5-98 between Executive Engineer, Maharashtra Jeevan Pradhikaran Works Division, Panvel and M/s. S.M.S. Paryavaran Private Limited.
- (viii) Water Supply Scheme or Buldhana Tours & surrounding 13 villages—construction and commissioning of 19 MLD Water Treatment Plant, raw water pump with connecting main by M/s. S.M.S. Paryavaran Private Limited, 216 Vats Market (behind Shiva Market), Pitampura, Delhi-110034 under the Agreement No. B-1/13 of 98-99 dated 15-5-98 between Executive Engineer, Maharashtra Jeevan Pradhikaran Works Division, Buldhana and M/s. S.M.S. Paryavaran Private Limited.
- (ix) Augmentation of Water Supply Scheme to Chamunde Nandikeshwar Temple and adjoining village—construction and commissioning of 2.44 MLD Water Treatment Plant by M/s. S.M.S. Paryavaran Private Limited, 216 Vats Market (behind Shiva Market), Pitampura, Delhi-110034, under the Agreement No. 147 of 98-99 dated 27-6-98 between Executive Engineer, Irrigation & Public Health Division, Dharamshala (HP) and M/s. S.M.S. Paryavaran Private Limited.
- (x) Siragaon village Water Supply Scheme by M/s. S.M.S. Paryavaran Private Limited, 216 Vats Market (behind Shiva Market), Pitampura, Delhi-110034, under the Agreement No. B-1/26 of 98-99 dated 3-8-98 between Executive Engineer, Maharashtra Jeevan Pradhikaran, Works Division, Wardha and M/s. S.M.S. Paryavaran Private Limited.
- (xi) Augmentation to Karjat Water Supply Scheme—construction and commissioning of 8.52 MLD Water Treatment Plant and distribution ESR/GSR by S.M.S. Paryavaran Private Limited, 216 Vats Market (behind Shiva Market), Pitampura, Delhi-110034, under the Agreement No. B.1/12 of 1999-2000 dated 19-1-99 between Executive Engineer, Maharashtra Jeevan Pradhikaran, Works Division Panvel and M/s. S.M.S. Paryavaran Private Limited.
- (xii) Rural Group Water Supply Scheme for Morkhed and seven other villages by M/s. S.M.S. Paryavaran Private Limited, 216 Vats Market (behind Shiva Market), Pitampura, Delhi-110034, under the Agreement No. B-1/12 of 1999-2000 dated 11-5-99 between Executive Engineer, Maharashtra Jeevan Pradhikaran, Works Division Khamgaon and M/s. S.M.S. Paryavaran Private Limited.
- (xiii) Regional Rural Water Supply Scheme for Khambi, Siregaon and group villages by M/s. S.M.S. Paryavaran Private Limited, 216 Vats Market (behind Shiva Market), Pitampura, Delhi-110034, under the Agreement No. B.1/7 of 1999-2000 dated 11-5-99 between Executive Engineer, Maharashtra Jeevan Pradhikaran, Works Division Bhandara and M/s. S.M.S. Paryavaran Private Limited.

(xiv) Regional Rural Water Supply Scheme for Arjuni Mor and group villages by M/s. S.M.S. Paryavaran Private Limited, 216 Vats Market (behind Shiva Market), Pitampura, Delhi-110034, under the Agreement No. B-1/12 of 1999-2000 dated 29-5-99 between Executive Engineer, Maharashtra Jeevan Pradhikaran, Works Division, Bhandara and M/s. S.M.S. Paryavaran Private Limited.

[Notification No. 11157/F. No. 205/97/99-ITA-II]

KAMLESH C. VARSHNEY, Under Secy.

आदेश

नई दिल्ली, 6 दिसम्बर, 1999

का. आ. 3608.—अतः संयुक्त सचिव, भारत सरकार जिन्हें विवेशी मुद्रा संरक्षण और तस्करी नियारण अधिनियम 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अन्तर्गत विशेष रूप से व्यक्ति प्रवान की गई है, ने उक्त उपधारा के अधीन आदेश फाइल सं. 673/67/99-सी.यू.एस.-VIII दिनांक 11-10-99 जारी किया और यह निर्देश दिया कि श्री एस. मोहमेद रफीक सुपुत्र स्व. श्री शाहुल हमीद घर का पता : नं. 15-बी, महल प्रथम गली, महुरै-1, तमिलनाडू। नेटिव पता : नं. 1/35, बेलालेर गली, पार्थीबन्नर जि. रामनाड, तमिलनाडू। विज्ञास पता : प्रबन्धक, मै. दाऊद टैक्सटाइल्स, नं. 98-ए., दक्षिणी मासी गली, महुरै। को निरुद्ध कर लिया जाए और केन्द्रीय कारनामा रम्पुरै में अभिरक्षा में रखा जाए जिससे कि उन्हें भविष्य में विवेशी मुद्रा के संवर्धन पर व्यतिकूल प्रभाव ढालने वाले किसी भी तरह के कार्य करने से रोका जा सके।

2. अतः केन्द्रीय सरकार के पास यह विश्वास करते का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या स्वयं को छिपा रखा है जिससे कि यह आदेश निष्पादित नहीं किया जा सकता।

3. अतः अब उक्त अधिनियम की धारा 7 की उपधारा (1) के अन्ध (ख) द्वारा प्रवक्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा पूर्वोक्त व्यक्ति को यह निर्देश देती है कि वह शासकीय राजपत्र में इस आदेश के प्रकाशित होने के 7 दिन के भीतर पुलिस, आयुक्त, मदरै के सम्मुख उपस्थित हो।

[का. स. 673/67/99-सी. यू.एस.-VIII]

प्रकाश चन्द्र, उप सचिव

ORDER

New Delhi, the 6th December, 1999

S.O. 3608.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of Section 3 of the Conservation of Foreign Exchange & Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/67/99-Cus.-VIII dated 11-10-1999 under the said sub-section directing that Shri S. Mohamed Rafeek, S/o Late Shahul Hameed, Residence No. 15-B, Mahal 1st Street, Madurai-1, Tamil Nadu, Native Address No. 1/35, Velalar Street, Parthibanoor, Ramanad District, Tamil Nadu; Business: Manager, M/s. Dawood Textile, No. 98-A, South Masi Street, Madurai be detained and kept in custody in the Central Prison, Madurai with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Madurai within 7 days of the publication of this order in the official Gazette.

[F. No. 673/67/99-Cus.-VIII]

PARKASH CHANDRA, Dy. Secy.

दिल्ली विकास प्राधिकरण

(मुख्य योजना विभाग)

सर्वजनिक-सूचना

नई दिल्ली, 10 दिसम्बर, 1999

का. आ. 3609.—दिल्ली विकास प्राधिकरण (मुख्य योजना तथा क्षेत्रीय योजना) दियर 1959 के दियर 5 के साथ गठित दिल्ली विकास अधिकारी दियर 1957 (1957 का 61) की धारा 10 (i) के अन्तर्गत राष्ट्रीय राजधानी क्षेत्र दिल्ली को क्षेत्रीय विकास योजना के प्रारूप को हैयार करने तथा उसके प्रकाशन के लिए सचना।

एतद्वारा सूचना दी जाती है कि—

(क) राष्ट्रीय राजधानी क्षेत्र दिल्ली के तीन एम, एन एवं पं. (पांडे), नरेला, उण्मग्नरोद, परियोजना के लिए एक क्षेत्रीय विकास योजना प्रारूप तैयार कर लिया गया है।

(क) उसकी एक प्राति निरीक्षण के लिए दिल्ली विकास प्रशिक्षण के कार्यालय, भूतल, विकास मीनार में आगे पैरा '3' में अस्थिकृत तारीख तक सभी कार्य विकासों के दौरान प्रातः 11.00 बजे से साथ 5.00 बजे तक उपलब्ध होती।

2. इस प्रापति योजना के संबंध में एतद्वारा आवश्यक एवं सुलभ व्यापक विवरण किए जाते हैं।

3. आवश्यक एवं सुलभ लिखित रूप में आयुक्त एवं सचिव, दिल्ली विकास प्रशिक्षण विकास संबंध नहीं विस्तीर्ण 3, को सन् 2000 के माहीने की 17वीं तारीख से पहले भेजें।

प्रापति/सुलभ भेजने वाले व्यक्ति को अपना नाम एवं पता भी अवश्य बता चाहिए।

[मि. सं. एफ.-4(3)98-एम.पी.]

विश्व भोहन बंसल, आयुक्त एवं सचिव

**DELHI DEVELOPMENT AUTHORITY
(Master Plan Department)**
PUBLIC NOTICE

New Delhi, the 10th December, 1999

S.O. 3609.—Notice under section 10(1) of the Delhi Development Act, 1957 (No. 61 of 1957) read with rule 5 of the Delhi Development (Master Plan and Zonal Development Plan) Rules, 1959 of the preparation and publication of the draft of the Zonal Development Plan for the National Capital Territory Delhi.

Notice is hereby given that :

- A draft of a Zonal Development Plan for zone M, N & P (part) (Narela sub-city) in the National Capital Territory of Delhi has been prepared.
- A copy thereof will be available for inspection of the office of the Delhi Development Authority, on Ground Floor, Vikas Minar, I.P. Estate, New Delhi, between hours of 11 A.M. to 5 P.M. on all working days till the date mentioned in para '3' hereinafter.

2. Objections and suggestions are hereby invited with respect to this draft plan.

3. The Objection or Suggestion may be sent in writing to the Commission-cum-Secretary, Delhi Development Authority, Vikas Sadan, 'B' block, I.N.A., New Delhi-23, before the 17th day of March, 2000.

Any person making the objection or suggestion should also give his name and address.

[No. F. 4(3)98-MP]

V. M. BANSAL, Commissioner-cum-Secy.

पेट्रोलियम एवं प्राकृतिक गैस मंत्रालय

नहीं विल्ली, 3 दिसम्बर, 1999

का.मा. 3610.—तेल उद्योग (विकास) प्रबन्धनम्, 1974 (1974 का 47) की धारा 3 की उपधारा (3) के अंडे (क) के द्वारा प्रदत्त वक्तिकों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा तत्काल प्रभाव से और और दो वर्ष से अनविक्षिक अवधि के लिए, भगला आदेश होने सक, श्री अरविंद वर्मा, सचिव रसायन एवं पेट्रोरसायन विभाग को श्री शीपक चट्टर्जी के स्थान पर तेल उद्योग विकास बोर्ड का सदस्य नियुक्त करती है।

[संघा जी-35012/2/91-विल-II]

मोहित सिन्हा, उप सचिव,

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 3rd December, 1999

S.O. 3610.—In exercise of the powers conferred by Clause (a) of Sub-section (3) of Section 3 of the Oil Industry (Development) Act, 1974 (47 of 1974), the Central Government hereby appoints, with immediate effect and for a period not exceeding two years, Shri Arvind Varma, Secretary, Department of Chemicals and Petrochemicals, as a Member of the Oil Industry Development Board vice Shri Deepak Chatterjee, until further order.

[No. G-35012/2/91-Fin. II]

MOHIT SINHA, Dy. Secy.

नई दिल्ली, 9 दिसम्बर, 1999

का. आ. 3611.— केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में ऐसा करना आवश्यक है कि पश्चिमी बंगाल राज्य के हल्दिया से बिहार राज्य के बरौनी तक पेट्रोलियम (क्रूड) के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जाए ।

और केन्द्रीय सरकार को यह प्रतीत होता है कि ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए इस अधिसूचना से संलग्न अनुसूची में वर्णित भूमि, जिसमें ऐसी पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन करना आवश्यक है ।

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है ।

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति उस तारीख से जिसको, राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाने के संबंध में उनमें उपयोग के अधिकार का अर्जन करने संबंधी लिखित रूप में आक्षेप श्री प्रदीप गोविन्दा चौधरी, सक्षम प्राधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, हल्दिया — बरौनी क्रूड पाइपलाइन संवर्धन परियोजना, पोस्ट खंजनचक, बासुदेवपुर, जिला—मिदनापुर, पश्चिमी बंगाल को कर सकेगा ।

अनुसूची

पुलिस थाना : दासपुर		जिला : मिदनापुर		राज्य : पश्चिमी बंगाल	
गांव	अधिकारिता	आर. एस. प्लॉट		क्षेत्र	
		सूची संख्या	संख्या	हेक्टेयर	आरे
1	2	3	4	5	6
सुजानगर	53	1	0	05	30
		2	0	10	04

<i>I</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>
		22	0	01	54
		51	0	01	42
		311	0	07	69
		312	0	13	55
		324	0	04	71
		325	0	01	39
		329	0	05	42
		330	0	05	43
		331	0	10	94
		338	0	00	20
		337	0	08	84
		338	0	06	31
		355	0	08	63
		356	0	01	11
		357	0	00	20
		364	0	02	09
		365	0	02	96
		366	0	13	52
		367	0	01	62
		371	0	02	78
		372	0	04	79
		394	0	06	04
		400	0	06	08
		401	0	06	52
		402	0	01	83
		403	0	01	34
		405	0	12	15
		419	0	12	51
		420	0	02	27
		428	0	00	27
		429	0	10	28
		430	0	01	14
		459	0	01	50
		460	0	02	75
		461	0	04	01
		462	0	00	94
		463	0	08	36
		464	0	01	07
		466	0	00	20

1	2	3	4	5	6
	471	0	08	84	
	472	0	10	54	
	473	0	06	36	
	474	0	00	25	
	478	0	00	41	
	480	0	02	95	
	857	0	01	55	
	871	0	03	25	
	872	0	00	49	
	873	0	09	75	
	874	0	05	34	
	889	0	05	64	
	890	0	00	20	
	891	0	05	47	
	893	0	00	20	
	894	0	05	43	
	897	0	04	55	
	898	0	04	28	
	903	0	11	74	
	904	0	00	20	
	963	0	07	49	
	975	0	05	32	
	976	0	01	04	
	978	0	02	93	
	979	0	06	91	
	983	0	00	98	
	1046	0	19	77	
	1047	0	10	16	
	1048	0	01	09	
	1049	0	00	20	
	1050	0	02	65	
	1054	0	12	30	
	1127	0	03	57	
	1132	0	02	23	
	367/1196	0	00	25	
	472/1200	0	03	36	
	50/1156	0	05	57	
	857/1179	0	05	01	

1	2	3	4	5	6
		871/1128	0	08	31
		874/1180	0	00	20
शामसन्दर्भ	50	481	0	08	72
		482	0	01	48
		483	0	03	58
		484	0	02	44
		486	0	00	90
		488	0	12	09
		490	0	00	40
		492	0	03	53
		493	0	06	93
		494	0	02	12
		506	0	00	20
		507	0	07	43
		509	0	00	20
		510	0	19	10
		515	0	01	95
		517	0	01	56
		518	0	00	20
		519	0	03	36
		520	0	00	79
		529	0	01	39
		530	0	00	41
		531	0	04	58
		536	0	01	21
		537	0	04	34
		558	0	04	46
		559	0	02	24
		560	0	04	19
		561	0	07	09
		580	0	00	84
		695	0	07	42
		696	0	04	90
		698	0	07	61
		699	0	03	53
		700	0	01	88
		701	0	01	50
		702	0	07	24

1	2	3	4	5	6
	711		0 01	34	
	712		0 04	58	
	713		0 04	17	
	714		0 06	32	
	715		0 00	98	
	1009		0 00	26	
	1010		0 00	62	
	1011		0 08	93	
	1012		0 04	64	
	1013		0 02	23	
	1014		0 08	35	
	1015		0 05	57	
	1016		0 01	91	
	1018		0 00	65	
	1019		0 09	84	
	1026		0 05	04	
	1027		0 00	20	
	1036		0 13	42	
	1057		0 00	21	
	1058		0 04	46	
	1060		0 02	41	
	1064		0 03	02	
	1065		0 00	26	
	1069		0 04	18	
	1071		0 04	09	
	1072		0 07	99	
	1073		0 01	40	
	1077		● 09	75	
	1078		0 00	23	
	1080		0 02	89	
	1081		0 03	89	
	1082		0 03	90	
	1083		0 00	20	
	1080/1328		0 04	98	
	1062/1303		0 00	25	
	1062/1304		0 02	27	
	490/1289		0 04	21	
	490/1290		0 05	39	
	490/1291		0 00	20	

<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>
		510/1294	0	02	07
		529/1255	0	03	52
		531/1256	0	05	11
		702/1249	0	03	25
रसूलपुर	49	4	0	06	60
		5	0	01	99
		6	0	07	45
		7	0	00	57
		55	0	00	49
		56	0	00	45
		57	0	00	21
		58	0	05	23
		59	0	07	53
		60	0	00	20
		62	0	00	20
		64	0	02	39
		65	0	03	85
		66	0	01	42
		67	0	00	20
		99	0	01	18
		100	0	07	65
		101	0	00	33
		159	0	00	85
		168	0	09	47
		169	0	01	83
		170	0	08	16
लिहिचेटवा	48	63	0	05	43
		64	0	01	70
		342	0	18	56
		359	0	00	64
		360	0	09	76
		361	0	01	58
		362	0	00	20
		378	0	03	81
		380	0	13	86
		370/550	0	00	45
		61/476	0	00	53
		62/477	0	00	53

१	२	३	४	५	६
बहुकल्पर	६४	३८	०	००	८५
		७५	०	०३	५८
		७६	०	०९	८८
		८०	०	००	७०
		८१	०	०४	४६
		८२	०	०५	०७
		८५	०	००	२०
		८६	०	२५	९०
		८७	०	१०	९४
		१०८	०	०३	२९
		१०९	०	०३	६९
		११०	०	०६	८८
		१११	०	०३	६८
		१२०	०	००	२०
		१२१	०	००	२०
		१६२	०	०२	४७
		१६३	०	०३	६५
		१६४	०	०३	६६
		१६५	०	००	२०
		१६६	०	००	३३
		१६७	०	०२	८४
		१६८	०	०६	२६
		१९०	०	०५	३१
		१९१	०	०५	६३
		१९२	०	००	२०
		१९३	०	००	२०
		२३७	०	०३	९४
		२३९	०	०३	८५
		२४०	०	०१	९२
		२४१	०	०३	९०
		२३२	०	००	३३
		२३३	०	०५	९१
		२३४	०	०४	०८
		२३५	०	००	३८
		२९०	०	०१	१४
		२९२	०	१०	७७
		२९५	०	००	५८
		३४०	०	११	४६

<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>
		341	0	09	39
		342	0	03	89
		343	0	04	55
		344	0	03	44
		345	0	00	20
		346	0	00	20
		370	0	02	19
		372	0	01	38
		373	0	00	93
		374	0	05	27
		375	0	00	30
		393	0	02	51
		394	0	04	78
		395	0	10	58
		396	0	05	95
		397	0	04	87
		447	0	00	94
		448	0	02	11
		449	0	03	12
		450	0	02	18
		451	0	00	20
		452	0	06	03
		453	0	00	85
		454	0	07	73
		455	0	03	28
		456	0	01	42
		457	0	00	30
		458	0	06	31
		460	0	03	04
		461	0	01	02
		464	0	02	80
		466	0	01	03
		467	0	04	29
		468	0	05	10
		469	0	00	69
		470	0	01	50
		471	0	01	83
		515	0	03	04
		791	0	02	78

1	2	3	4	5	6
	793	0	03	34	
	802	0	00	20	
	803	0	10	16	
	806	0	03	99	
	807	0	03	53	
	808	0	07	13	
	814	0	00	20	
	826	0	02	19	
	827	0	08	03	
	828	0	10	58	
	829	0	04	17	
	831	0	01	39	
	832	0	00	90	
	833	0	03	71	
	846	0	01	38	
	871	0	11	50	
	872	0	03	90	
	873	0	05	01	
	874	0	03	27	
	875	0	02	78	
	879	0	07	38	
	880	0	00	49	
	926	0	01	62	
	953	0	00	26	
बासदेवपर	63	1797	0	02	97
		1800	0	05	59
		1801	0	01	85
		1802	0	10	44
		1803	0	00	31
		1805	0	01	08
		1806	0	02	11
		1809	0	04	28
		1810	0	00	25
		1811	0	02	23
		1812	0	01	96
		1813	0	06	28
		1814	0	06	13
		1815	0	03	17

1	2	3	4	5	6
		1816	0	05	10
		1817	0	01	22
		1818	0	06	50
		1820	0	00	58
		1838	0	06	22
		1842	0	01	22
		1843	0	07	24
		1844	0	01	18
		1848	0	02	78
		1849	0	01	75
		1862	0	00	77
		1865	0	00	20
		1866	0	00	88
		1867	0	03	44
		1868	0	07	80
		1869	0	01	36
		1895	0	00	92
		2066	0	00	54
		2066/2420	0	01	34
		2066/2421	0	03	84
		2070	0	10	02
		2071	0	00	20
		2073	0	05	10
		2073/2424	0	03	89
		2074	0	00	83
		2075	0	00	20
		2089	0	08	22
		2090	0	03	48
		2093	0	00	20
		2094	0	01	86
		2095	0	01	42
		2096	0	03	65
		2097	0	07	94
		2098	0	00	20
		2117	0	00	20
		2122	0	06	38
		2123	0	10	02
		2125	0	00	75
		2126	0	02	43

1	2	3	4	5	6
	2126/2428	0	01	88	
	2127	0	00	91	
	2128	0	00	64	
	2140	0	00	25	
	2142	0	03	51	
	2144	0	01	70	
	2145	0	01	31	
	2146	0	10	77	
	2147	0	03	90	
	2148	0	00	20	
	2149	0	01	80	
	2150	0	00	20	
	2299	0	01	16	
	2306	0	01	02	
	2309	0	02	07	
	2311	0	01	11	
	2317	0	17	33	
	2319	0	01	00	
	2320	0	01	83	
	2373	0	01	17	
	2375	0	00	93	
	2412	0	03	90	
	2413	0	04	16	
	2414	0	05	33	
खर राधाकृष्णपर	68	1	0	00	45
		2	0	02	53
		4	0	04	48
		5	0	01	95
		6	0	04	25
		7	0	01	39
		9	0	05	76
		35	0	13	19
		36	0	03	36
		47	0	02	23
		48	0	02	23
		50	0	02	88
		53	0	05	88

1	2	3	4	5	6
	54		0	03	16
	57		0	02	07
	58		0	02	23
	92		0	14	35
	93		0	05	59
	94		0	00	20
	102/972		0	00	20
	103		0	00	20
	105		0	05	57
	112		0	00	73
	112/974		0	00	73
	112/975		0	00	48
	113		0	05	43
	114		0	00	57
	117		0	01	69
	118		0	02	97
	119		0	03	40
	120		0	01	70
	127		0	01	67
	128		0	00	86
	129		0	05	05
	154/1012		0	00	48
	436/1001		0	02	37
	614		0	00	20
	615		0	02	72
	618		0	00	40
	619		0	11	42
	620		0	00	57
	621		0	04	25
	622		0	04	18
	630		0	00	34
	631		0	00	20
	636/946		0	01	78
	649		0	00	20
	650		0	02	78
	651		0	01	95
	652		0	01	86
	656		0	05	19

1	2	3	4	5	6
	657		0	02	14
	658		0	01	36
	662		0	03	24
	663		0	05	20
	664		0	01	30
	666		0	00	20
	668		0	01	95
	669		0	03	25
	670		0	07	19
	671		0	00	20
	672		0	01	11
	685		0	00	82
	702		0	02	16
	703		0	01	34
	704		0	01	15
	705		0	03	48
	706		0	02	41
	709		0	05	85
	710		0	00	30
	711		0	00	20
	713		0	09	84
	714		0	00	20
	743		0	00	28
	747		0	07	85
	748		0	00	77
	749		0	00	87
	750		0	02	15
	751		0	03	36
	752		0	00	20
	758		0	03	41
	759		0	08	36
	914		0	00	48
	919		0	00	20
	920		0	01	26
	921		0	01	52
	922		0	01	12
	923		0	00	20
	924		0	03	16
	925		0	00	76

1	2	3	4	5	6
		929	0	01	58
		930	0	00	63
		931	0	01	58
		932	0	04	28
		933	0	01	86
		934	0	04	46
किशोरनगर	73	273	0	00	20
		274	0	00	20
		275	0	02	14
		276	0	08	50
		277	0	04	67
		280	0	00	58
		281	0	08	22
		282	0	00	53
		283	0	00	20
		284	0	08	69
		285	0	05	32
		288	0	00	20
		296	0	00	70
		297	0	03	02
		298	0	04	40
		299	0	05	67
		451	0	02	97
		452	0	00	20
		454	0	02	42
		455	0	00	23
		540	0	00	20
		541	0	04	09
		542	0	00	20
		546	0	08	45
		547	0	01	25
		548	0	00	20
		549	0	01	76
		550	0	00	73
		551	0	04	29
		552	0	00	29
		553	0	01	52
		554	0	01	63

1	2	3	4	5	6
---	---	---	---	---	---

555		0	01	78
558		0	00	20
557		0	00	79
559		0	04	41
560		0	03	60
561		0	02	04
562		0	00	20
563		0	10	08
574		0	03	91
575		0	03	02
576		0	03	72
585		0	00	20
586		0	08	39
591		0	11	83
594		0	01	67
595		0	07	93
596		0	03	32
676		0	00	20
682		0	00	42
683		0	00	28
701		0	00	22
717		0	00	23
718		0	00	84
1401		0	05	57
1435		0	00	20
1443		0	00	45
1446		0	01	49

सलतान नगर

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New Delhi, the 9th December, 1999

S.O. 3611.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum (crude) from Haldia in the State of West Bengal to Barauni in the State of Bihar, pipelines should be laid by the Indian Oil Corporation Limited;

And whereas, it appears to the Central Government that for the purpose of laying such pipelines it is necessary to acquire the right of user in the land under which such pipelines is proposed to be laid, described in the Schedule annexed to this notification.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Any person interested in the land described in the said Schedule, may within twenty one days from the date on which the copies of the notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipelines under the land to Sri Pradip Govinda Chowdhuri, Competent Authority, Indian Oil Corporation Limited, Augmentation of Haldia-Barauni Crude Pipeline Project, Post-Khanjanchak, Basudevpur, District-Midnapur (West Bengal).

Schedule

Police Station: Daspur District: Midnapur State: West Bengal

Village	Jurisdiction	R.S. Plot List No.	No.	Hectare	Area Are	Area Centiare
1	2	3.	4	5	6	
SUJANAGAR	53	1	0	05	30	
		2	0	10	04	
		22	0	01	54	
		51	0	01	42	
		311	0	07	69	

1	2	3	4	5	6
		312	0	13	55
		324	0	04	71
		325	0	01	39
		329	0	05	42
		330	0	05	43
		331	0	10	94
		338	0	00	20
		337	0	08	64
		338	0	06	31
		355	0	08	63
		356	0	01	11
		357	0	00	20
		364	0	02	09
		365	0	02	96
		366	0	13	52
		367	0	01	62
		371	0	02	78
		372	0	04	79
		394	0	06	04
		400	0	06	08
		401	0	06	52
		402	0	01	83
		403	0	01	34
		405	0	12	15
		419	0	12	51
		420	0	02	27
		428	0	00	27
		429	0	10	28
		430	0	01	14
		459	0	01	50
		460	0	02	75
		461	0	04	01
		462	0	00	94
		463	0	08	36
		464	0	01	07
		466	0	00	20
		471	0	08	84
		472	0	10	54
		473	0	06	36
		474	0	00	25
		478	0	00	41
		480	0	02	95
		857	0	01	55
		871	0	03	25
		872	0	00	49

123456

		873	0	09	75
		874	0	05	34
		889	0	05	64
		890	0	00	20
		891	0	05	47
		893	0	00	20
		894	0	05	43
		897	0	04	55
		898	0	04	28
		903	0	11	74
		904	0	00	20
		963	0	07	49
		975	0	05	32
		976	0	01	04
		978	0	02	93
		979	0	06	91
		983	0	00	98
		1046	0	19	77
		1047	0	10	16
		1048	0	01	09
		1049	0	00	20
		1050	0	02	65
		1054	0	12	30
		1127	0	03	57
		1132	0	02	23
		367/1196	0	00	25
		472/1200	0	03	36
		50/1156	0	05	57
		857/1179	0	05	01
		871/1128	0	06	31
		874/1180	0	00	20
SHYAMSUNDARPUR	50	481	0	08	72
		482	0	01	48
		483	0	03	58
		484	0	02	44
		486	0	00	90
		488	0	12	09
		490	0	00	40
		492	0	03	53
		493	0	06	93
		494	0	02	12
		506	0	00	20
		507	0	07	43
		509	0	00	20

1	2	3	4	5	6
			510	0	19
			515	0	01
			517	0	01
			518	0	00
			519	0	03
			520	0	00
			529	0	01
			530	0	00
			531	0	04
			536	0	01
			537	0	04
			558	0	04
			559	0	02
			560	0	04
			561	0	07
			580	0	00
			695	0	07
			696	0	04
			698	0	07
			699	0	03
			700	0	01
			701	0	01
			702	0	07
			711	0	01
			712	0	04
			713	0	04
			714	0	06
			715	0	00
			1009	0	00
			1010	0	00
			1011	0	08
			1012	0	04
			1013	0	02
			1014	0	08
			1015	0	05
			1016	0	01
			1018	0	00
			1019	0	09
			1026	0	05
			1027	0	00
			1036	0	13
			1057	0	00
			1058	0	04
			1060	0	02
			1064	0	03
					02

<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>
	1065		0 00	26	
	1069		0 04	18	
	1071		0 04	09	
	1072		0 07	99	
	1073		0 01	40	
	1077		0 09	75	
	1078		0 00	23	
	1080		0 02	89	
	1081		0 03	89	
	1082		0 03	90	
	1083		0 00	20	
	1080/1328		0 04	98	
	1082/1303		0 00	25	
	1082/1304		0 02	27	
	490/1289		0 04	21	
	490/1290		0 05	39	
	490/1291		0 00	20	
	510/1294		0 02	07	
	529/1255		0 03	52	
	531/1256		0 05	11	
	702/1249		0 03	25	
RASULPUR	49	4	0 06	60	
		5	0 01	99	
		6	0 07	45	
		7	0 00	57	
		55	0 00	49	
		56	0 00	45	
		57	0 00	21	
		58	0 05	23	
		59	0 07	53	
		60	0 00	20	
		62	0 00	20	
		64	0 02	39	
		65	0 03	85	
		66	0 01	42	
		67	0 00	20	
		99	0 01	18	
		100	0 07	65	
		101	0 00	33	
		159	0 00	85	
		168	0 09	47	
		169	0 01	83	
		170	0 08	16	
DIHICHTUA	48	63	0 05	43	
		64	0 01	70	

1	2	3	4	5	6
	342	0	18	56	
	359	0	00	64	
	380	0	09	78	
	361	0	01	58	
	362	0	00	20	
	378	0	03	81	
	380	0	13	86	
	370/550	0	00	45	
	61/476	0	00	53	
	62/477	0	00	53	
BAIKUNTHAPUR	64	38	0	00	85
		75	0	03	58
		76	0	09	88
		80	0	00	70
		81	0	04	48
		82	0	05	07
		85	0	00	20
		86	0	25	90
		87	0	10	94
		108	0	03	29
		109	0	03	69
		110	0	06	88
		111	0	03	68
		120	0	00	20
		121	0	00	20
		162	0	02	47
		163	0	03	65
		164	0	03	66
		165	0	00	20
		166	0	00	33
		167	0	02	84
		168	0	06	26
		190	0	05	31
		191	0	05	83
		192	0	00	20
		193	0	00	20
		237	0	03	94
		239	0	03	85
		240	0	01	92
		241	0	03	90
		232	0	00	33
		233	0	05	91
		234	0	04	08
		235	0	00	38
		290	0	01	14

123456

292	0	10	77
295	0	00	58
340	0	11	46
341	0	09	39
342	0	03	89
343	0	04	55
344	0	03	44
345	0	00	20
346	0	00	20
370	0	02	19
372	0	01	38
373	0	00	93
374	0	05	27
375	0	00	30
393	0	02	51
394	0	04	78
395	0	10	58
396	0	05	95
397	0	04	87
447	0	00	94
448	0	02	11
449	0	03	12
450	0	02	18
451	0	00	20
452	0	08	03
453	0	00	85
454	0	07	73
455	0	03	28
456	0	01	42
457	0	00	30
458	0	06	31
460	0	03	04
461	0	01	02
464	0	02	80
468	0	01	03
467	0	04	29
468	0	05	10
469	0	00	89
470	0	01	50
471	0	01	83
515	0	03	04
791	0	02	78
793	0	03	34
802	0	00	20
803	0	10	16

I	2	3	4	5	6
	806		0	03	99
	807		0	03	53
	808		0	07	13
	814		0	00	20
	826		0	02	19
	827		0	06	03
	828		0	10	58
	829		0	04	17
	831		0	01	39
	832		0	00	90
	833		0	03	71
	846		0	01	38
	871		0	11	50
	872		0	03	90
	873		0	05	01
	874		0	03	27
	875		0	02	78
	879		0	07	38
	880		0	00	49
	926		0	01	62
	953		0	00	26
BASUDEVPUR	63	1797	0	02	97
		1800	0	05	59
		1801	0	01	85
		1802	0	10	44
		1803	0	00	31
		1805	0	01	08
		1806	0	02	11
		1809	0	04	28
		1810	0	00	25
		1811	0	02	23
		1812	0	01	96
		1813	0	06	28
		1814	0	06	13
		1815	0	03	17
		1816	0	05	10
		1817	0	01	22
		1818	0	06	50
		1820	0	00	50
		1838	0	06	22
		1842	0	01	22
		1843	0	07	24
		1844	0	01	18
		1848	0	02	78
		1849	0	01	75

1

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4

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6

1882	0	00	77
1885	0	00	20
1886	0	00	88
1887	0	03	44
1888	0	07	80
1889	0	01	36
1895	0	00	92
2086	0	00	54
2086/2420	0	01	34
2086/2421	0	03	84
2070	0	10	02
2071	0	00	20
2073	0	05	10
2073/2424	0	03	89
2074	0	00	83
2075	0	00	20
2089	0	08	22
2090	0	03	48
2093	0	00	20
2094	0	01	86
2095	0	01	42
2096	0	03	65
2097	0	07	94
2098	0	00	20
2117	0	00	20
2122	0	06	38
2123	0	10	02
2125	0	00	75
2126	0	02	43
2126/2428	0	01	88
2127	0	00	91
2128	0	00	84
2140	0	00	25
2142	0	03	51
2144	0	01	70
2145	0	01	31
2146	0	10	77
2147	0	03	90
2148	0	00	20
2149	0	01	80
2150	0	00	20
2299	0	01	16
2306	0	01	02
2309	0	02	07
2311	0	01	11

1	2	3	4	5	6
	2317	0	17	33	
	2319	0	01	00	
	2320	0	01	83	
	2373	0	01	17	
	2375	0	00	93	
	2412	0	03	90	
	2413	0	04	18	
	2414	0	05	33	
KHAR RADHA	68	1	00	45	
KRISHNAPUR		2	02	53	
		4	04	46	
		5	01	95	
		6	04	25	
		7	01	39	
		9	05	76	
		35	13	19	
		36	03	36	
		47	02	23	
		48	02	23	
		50	02	88	
		53	05	88	
		54	03	16	
		57	02	07	
		58	02	23	
		92	14	35	
		93	05	59	
		94	00	20	
	102/972	0	00	20	
	103	0	00	20	
	105	0	05	57	
	112	0	00	73	
	112/974	0	00	73	
	112/975	0	00	48	
	113	0	05	43	
	114	0	00	57	
	117	0	01	69	
	118	0	02	97	
	119	0	03	40	
	120	0	01	70	
	127	0	01	67	
	128	0	00	88	
	129	0	05	05	
	154/1012	0	00	46	
	436/1001	0	02	37	
	614	0	00	20	

<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>
	615		0	02	72
	618		0	00	40
	619		0	11	42
	620		0	00	57
	621		0	04	25
	622		0	04	18
	630		0	00	34
	631		0	00	20
	636/946		0	01	78
	649		0	00	20
	650		0	02	78
	651		0	01	95
	652		0	01	86
	656		0	05	19
	657		0	02	14
	658		0	01	36
	662		0	03	24
	663		0	05	20
	664		0	01	30
	666		0	00	20
	668		0	01	95
	669		0	03	25
	670		0	07	19
	671		0	00	20
	672		0	01	11
	685		0	00	82
	702		0	02	16
	703		0	01	34
	704		0	01	15
	705		0	03	48
	706		0	02	41
	709		0	05	85
	710		0	00	30
	711		0	00	20
	713		0	09	84
	714		0	00	20
	743		0	00	26
	747		0	07	85
	748		0	00	77
	749		0	00	87
	750		0	02	15
	751		0	03	36
	752		0	00	20
	758		0	03	41
	759		0	08	36

<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>
	914		0 00	46	
	919		0 00	20	
	920		0 01	26	
	921		0 01	52	
	922		0 01	12	
	923		0 00	20	
	924		0 03	16	
	925		0 00	76	
	929		0 01	58	
	930		0 00	63	
	931		0 01	58	
	932		0 04	28	
	933		0 01	86	
	934		0 04	46	
KISHORENAGAR	73	273	0 00	20	
		274	0 00	20	
		275	0 02	14	
		276	0 08	50	
		277	0 04	67	
		280	0 00	58	
		281	0 08	22	
		282	0 00	53	
		283	0 00	20	
		284	0 06	69	
		285	0 05	32	
		288	0 00	20	
		296	0 00	70	
		297	0 03	02	
		298	0 04	40	
		299	0 05	67	
		451	0 02	97	
		452	0 00	20	
		454	0 02	42	
		455	0 00	23	
		540	0 00	20	
		541	0 04	09	
		542	0 00	20	
		546	0 06	45	
		547	0 01	25	
		548	0 00	20	
		549	0 01	76	
		550	0 00	73	
		551	0 04	29	
		552	0 00	29	
		553	0 01	52	

123456

	554	0	01	63
	555	0	01	76
	556	0	00	20
	557	0	00	79
	559	0	04	41
	560	0	03	60
	561	0	02	04
	562	0	00	20
	563	0	10	09
	574	0	03	91
	575	0	03	02
	576	0	03	72
	585	0	00	20
	586	0	08	39
	591	0	11	83
	594	0	01	67
	595	0	07	93
	596	0	03	32
	676	0	00	20
	682	0	00	42
	683	0	00	28
	701	0	00	22
	717	0	00	23
	718	0	00	84
	1401	0	05	57
	1435	0	00	20
	1443	0	00	45
	1446	0	01	49
SULTAN NAGAR	69	834	0	00
			63	

[F. No. R-31015/13/99-OR-I]
 K. P. K. NAMBISSAN, Under Secy.

नई दिल्ली, 9 दिसम्बर, 1999

का. आ. 3612.—केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश राज्य में वर्तमान बरौनी — कानपुर मुख्य पाइपलाइन के इलाहाबाद — कानपुर सेक्षन से लखनऊ तक पेट्रोलियम उत्पादों के परिवहन के लिए एक ब्रांच पाइपलाइन इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा बिछाई जाए।

और केन्द्रीय सरकार को यह प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित भूमि में, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन करना आवश्यक है।

अतः केन्द्रीय सरकार पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन), अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है।

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति, राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियाँ जनसाधारण को उपलब्ध करा दिए जाने की तारीख से इककीस दिन के भीतर, उनमें उपयोग के अधिकार का अर्जन या भूमि के नीचे पाइपलाइन बिछाने के सम्बन्ध में आपत्ति लिखित रूप में श्री विजय बहादुर, सक्षम प्राधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, वर्तमान बरौनी — कानपुर मुख्य पाइपलाइन के इलाहाबाद — कानपुर सेक्षन से लखनऊ के लिए ब्रांच पाइपलाइन, एन-29, ब्लाक-बी, पनकी, कानपुर — 208020 (उत्तर प्रदेश) को कर सकेगा।

अनुसूची

तहसील — कानपुर	जिला — कानपुर	राज्य — उत्तर प्रदेश		
		क्षेत्र	हेक्टेयर	आरे
1	2	3	4	5
गौरिया	4	0	13	93

1

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4

5

छतमरा	805	0	07	36
	806	0	08	52
	801	0	00	76
	812	0	06	44
	813	0	02	00
	815	0	02	83
	817	0	12	33
	790	0	06	88
	786	0	00	80
	784	0	08	97
	771	0	07	33
	752	0	04	68
	751	0	07	25
	740	0	10	41
	728	0	10	85
	727	0	04	32
	726	0	05	60
	718	0	07	68
	719	0	06	75
	307	0	04	86
	308	0	00	96
	297	0	05	66
	295	0	06	72
	298	0	00	95
	293	0	11	85
	291	0	01	52
	290	0	19	64
	284	0	01	52
	320	0	00	40
	321	0	07	68
	322	0	09	92
	337	0	11	21
	343	0	12	46
	344	0	00	40
	360	0	08	97
	359	0	02	88
	371	0	12	10
	363	0	00	40
	364	0	09	60

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	367	0	01	64
	366	0	01	25
	522	0	03	10
	524	0	10	89
	525	0	02	75
	546	0	08	20
	528	0	10	41
	516	0	04	46
रुमा	1007	0	26	27
	983	0	13	26
	986	0	06	41
	990	0	01	25
	987	0	05	52
	988	0	13	22
	989	0	00	73
	70	0	03	87
	68	0	06	46
	65	0	03	28
कुलगोव	213	0	39	99
	217	0	00	40
	215	0	07	23
	214	0	09	62
	261	0	01	50
	262	0	15	16
	633	0	27	06
	631	0	18	04
	630	0	02	73
	629	0	01	65
	628	0	00	40
	563	0	07	01
	584	0	00	40
	583	0	08	98
	907	0	27	71
	908	0	00	51
	909	0	00	63
	914	0	00	88
	906	0	06	22
	916	0	03	91

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	917	0	06	58
	903	0	05	03
	922	0	00	40
	902	0	00	40
	900	0	01	31
	923	0	04	27
	924	0	09	26
	869	0	11	43
	867	0	01	83
	865	0	09	38
	868	0	00	69
	864	0	11	90
	976	0	06	52
	977	0	01	21
	978	0	08	20
	967	0	13	49
	958	0	07	81
	664	0	00	40
	999	0	00	58
	1027	0	03	60
	1026	0	03	72
	1047	0	06	49
	1045	0	04	94
	1046	0	04	45
	1050	0	07	54
	1060	0	04	23
	1059	0	09	69
	1058	0	03	00
	1067	0	07	41
	1068	0	12	02
	1071	0	19	98
	1074	0	00	50
	1073	0	04	54
	1078	0	08	46
किसुनपुर	465	0	00	40
	467	0	07	56
	468	0	02	75
	470	0	03	60
	480	0	06	80
	481	0	00	40
	483	0	09	77

1	2	3	4	5
	487	0	06	98
	486	0	01	80
	488	0	07	83
	489	0	05	15
	492	0	00	60
	490	0	03	80
	408	0	00	40
	407	0	06	82
	406	0	00	40
	410	0	02	81
	411	0	03	05
	412	0	05	04
	394	0	06	61
	619	0	01	80
	620	0	01	00
	621	0	02	50
	623	0	03	60
	624	0	07	40
	622	0	00	40
	625	0	02	30
	626	0	01	45
	627	0	02	10
	630	0	00	40
	629	0	00	40
	628	0	01	56
	223	0	02	69
	222	0	06	20
	224	0	05	20
	230	0	01	30
	219	0	05	20
	208	0	02	34
	162	0	02	57
	160	0	07	37
	159	0	09	45
	157	0	06	80
	147	0	01	08
	144	0	14	95
	141	0	00	40
	143	0	06	00
मदारपुर	4	0	04	27

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2	0	03	35
17	0	02	22

तहसील – उन्नाव

जिला – उन्नाव

राज्य – उत्तर प्रदेश

सरपागर

251	0	54	20
250	0	01	90
247	0	04	05
238	0	34	18
160	0	17	11
159	0	00	40
161	0	06	68
162	0	26	87
165	0	09	54
164	0	06	79
163	0	00	40
144	0	09	27
143	0	09	84
135	0	00	40
136	0	11	40
137	0	07	46
91	0	03	98
89	0	09	43
75	0	09	31
74	0	00	40
76	0	07	82
77	0	14	83
45	0	25	63
23	0	05	57
29	0	07	34
28	0	13	11
23	0	18	21
16	0	12	58
15	0	18	12
19	0	02	45
20	0	00	40
14	0	08	20
17	0	00	54

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	13	0	00	40
	9	0	35	77
	23	0	02	82
	6	0	18	53
	3	0	12	13
	2	0	00	40
	1	0	13	54
टिकरी गनेश	45	0	11	12
एहतमाली	21	0	02	87
	39	0	23	72
	34	0	23	67
	33	0	00	44
टिकरी गनेश	353	0	34	92
गैर एहतमाली	329	0	12	29
	331	0	05	45
	328	0	05	69
	161	0	11	21
	260	0	01	92
	184	0	02	01
	185	0	09	73
	186	0	00	40
	188	0	10	69
	203	0	09	39
	201	0	03	78
	208	0	00	40
	210	0	04	71
	215	0	04	47
	214	0	11	70
	221	0	00	40
	222	0	15	62
	231	0	09	04
	227	0	00	40
	230	0	08	77
	229	0	06	24
मनोहरपुर	2	0	07	44
	3	0	00	40

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मवइया लायक

305	0	02	53
301	0	00	40
302	0	28	85
289	0	15	68
288	0	00	50
283	0	14	68
282	0	05	83
273	0	19	62
174	0	02	00
186	0	00	91
187	0	07	50
194	0	26	74
197	0	08	65
198	0	07	68
199	0	08	66
200	0	00	42
206	0	16	71
136	0	00	40
116	0	01	50

सुपासी

1121	0	06	66
1120	0	11	00
1123	0	01	20
1117	0	12	42
1112	0	05	04
1116	0	01	90
1113	0	14	45
693	0	20	30
692	0	01	56
690	0	09	18
685	0	11	34
675	0	04	42
674	0	06	15
544	0	09	93
544/13553	0	02	70
545	0	18	72
516	0	00	40
515	0	27	50
512	0	13	23
580	0	00	40
579	0	00	84
436	0	34	56

1	2	3	4	5
	423	0	11	70
	424	0	00	40
	429	0	02	34
	428	0	08	82
	64	0	04	75
	63	0	03	06
बदरका	151	0	09	46
हरबंश	150	0	00	58
	123	0	00	33
	125	0	12	86
	127	0	00	61
	126	0	10	21
	130	0	04	72
	131	0	02	86
	132	0	01	42
आटा	891	0	02	52
	888	0	04	88
	897	0	17	59
	885	0	09	59
	883	0	06	98
	626	0	10	55
	624	0	00	40
	631	0	07	82
	632	0	04	88
	633	0	07	17
	860	0	12	03
	859	0	09	68
	858	0	09	15
	857	0	02	57
	854	0	19	35
	833	0	00	40
	834	0	22	82
	835	0	10	72
	828	0	06	84
	807	0	14	67
	805	0	08	91
	800	0	08	21

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809	0	05	22
799	0	01	85
797	0	00	91
796	0	02	58
791	0	00	40
792	0	00	40
795	0	04	64
793	0	09	98
794	0	00	40

कर्णांदी

298	0	12	28
299	0	06	92
314	0	07	72
315	0	15	44
319	0	09	47
318	0	08	77
277	0	09	82
276	0	00	40
275	0	08	07
274	0	00	40
273	0	08	42
272	0	06	66
331	0	07	40
332	0	04	78
334	0	00	45
355	0	11	45
356	0	00	40
354	0	02	73
353	0	08	15
351	0	07	37
352	0	01	75
350	0	05	95
377	0	00	76

पोटरिहा

1702	0	05	45
1274	0	10	68
1273	0	00	75
1266	0	17	63
1265	0	00	40
1194	0	10	11
1201	0	08	70
1193	0	01	40

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	1200	0	14	77
	1198	0	10	78
	1197	0	07	54
	1196	0	07	14
	1160	0	04	21
	1157	0	09	03
	960	0	04	41
	688	0	27	84
	682	0	11	94
	683	0	04	66
	680	0	00	40
मुगलपुर	338	0	00	40
	336	0	33	29
	330	0	10	31
	319	0	09	68
	320	0	04	81
	314	0	15	88
	255	0	00	80
	315	0	00	40
	256	0	16	45
	251	0	02	95
	257	0	04	01
	258	0	04	01
	259	0	04	44
	260	0	12	01
	265	0	02	92
	266	0	18	07
	129	0	13	28
	134	0	28	36
	147	0	04	76
	148	0	13	93
	150	0	09	20
	142	0	00	40
कोरारी कलौं	3059	0	00	40
	3058	0	00	40
	3056	0	24	21
	2995	0	06	60
	2994	0	06	23
	773	0	06	42
	750	0	08	31

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751	0	00	40
749	0	00	51
748	0	12	72
747	0	07	21
730	0	00	40
731	0	19	30
674	0	10	65
665	0	04	04
666	0	05	12
661	0	06	95
660	0	01	02
659	0	00	40
657	0	06	92
655	0	02	85
656	0	03	13
518	0	06	40
516	0	09	68
513	0	04	46
514	0	04	03
511	0	19	43
428	0	11	98
422	0	06	43
417	0	28	47
375	0	09	83
373	0	06	74
372	0	04	73
371	0	11	64
320	0	02	01
310	0	08	89
311	0	02	45
312	0	01	17
667	0	00	40

जमुका

306	0	16	86
308	0	04	03
309	0	03	23
310	0	02	81
311	0	03	66
313	0	04	37
342	0	28	01
343	0	06	86

1	2	3	4	5
	367	0	01	64
	366	0	01	25
	522	0	03	10
	524	0	10	89
	525	0	02	75
	546	0	08	20
	528	0	10	41
	516	0	04	46
Ruman	1007	0	26	27
	983	0	13	26
	986	0	06	41
	990	0	01	25
	987	0	05	52
	988	0	13	22
	989	0	00	73
	70	0	03	87
	68	0	06	46
	65	0	03	28
Kulgaon	213	0	39	99
	217	0	00	40
	215	0	07	23
	214	0	09	62
	261	0	01	50
	262	0	15	16
	633	0	27	06
	631	0	18	04
	630	0	02	73
	629	0	01	65
	628	0	00	40
	563	0	07	01
	584	0	00	40
	583	0	08	98
	907	0	27	71
	908	0	00	51
	909	0	00	63
	914	0	00	88
	906	0	06	22
	916	0	03	91

1	2	3	4	5
	917	0	06	58
	903	0	05	03
	922	0	00	40
	902	0	00	40
	900	0	01	31
	923	0	04	27
	924	0	09	26
	869	0	11	43
	867	0	01	83
	865	0	09	38
	868	0	00	69
	864	0	11	90
	976	0	06	52
	977	0	01	21
	978	0	08	20
	967	0	13	49
	958	0	07	81
	664	0	00	40
	999	0	00	58
	1027	0	03	60
	1026	0	03	72
	1047	0	06	49
	1045	0	04	94
	1046	0	04	45
	1050	0	07	54
	1060	0	04	23
	1059	0	09	69
	1058	0	03	00
	1067	0	07	41
	1068	0	12	02
	1071	0	19	98
	1074	0	00	50
	1073	0	04	54
	1078	0	08	46
Kishanpur	465	0	00	40
	467	0	07	56
	468	0	02	75
	470	0	03	60
	480	0	06	80
	481	0	00	40
	483	0	09	77

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487	0	06	98
486	0	01	80
488	0	07	83
489	0	05	15
492	0	00	60
490	0	03	80
408	0	00	40
407	0	06	82
406	0	00	40
410	0	02	81
411	0	03	05
412	0	05	04
394	0	06	61
619	0	01	80
620	0	01	00
621	0	02	50
623	0	03	60
624	0	07	40
622	0	00	40
625	0	02	30
626	0	01	45
627	0	02	10
630	0	00	40
629	0	00	40
628	0	01	56
223	0	02	69
222	0	06	20
224	0	05	20
230	0	01	30
219	0	05	20
208	0	02	34
162	0	02	57
160	0	07	37
159	0	09	45
157	0	06	80
147	0	01	08
144	0	14	95
141	0	00	40
143	0	06	00

Madarpur

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2	0	03	35
17	0	02	22

Tehsil – Unnao**District – Unnao****State – Uttar Pradesh**

Sarwagar	251	0	54	20
	250	0	01	90
	247	0	04	05
	238	0	34	18
	160	0	17	11
	159	0	00	40
	161	0	06	68
	162	0	26	87
	165	0	09	54
	164	0	06	79
	163	0	00	40
	144	0	09	27
	143	0	09	84
	135	0	00	40
	136	0	11	40
	137	0	07	46
	91	0	03	98
	89	0	09	43
	75	0	09	31
	74	0	00	40
	76	0	07	82
	77	0	14	83
	45	0	25	63
	23	0	05	57
	29	0	07	34
	28	0	13	11
	23	0	18	21
	16	0	12	58
	15	0	18	12
	19	0	02	45
	20	0	00	40
	14	0	08	20
	17	0	00	54

1	2	3	4	5
	13	0	00	40
	9	0	35	77
	23	0	02	82
	6	0	18	53
	3	0	12	13
	2	0	00	40
	1	0	13	54
Tikari Ganesh	45	0	11	12
Ahatmali	21	0	02	87
	39	0	23	72
	34	0	23	67
	33	0	00	44
Tikari Ganesh	353	0	34	92
Gair Ahatmali	329	0	12	29
	331	0	05	45
	328	0	05	69
	161	0	11	21
	260	0	01	92
	184	0	02	01
	185	0	09	73
	186	0	00	40
	188	0	10	69
	203	0	09	39
	201	0	03	78
	208	0	00	40
	210	0	04	71
	215	0	04	47
	214	0	11	70
	221	0	00	40
	222	0	15	62
	231	0	09	04
	227	0	00	40
	230	0	08	77
	229	0	06	24
Manoharpur	2	0	07	44
	3	0	00	40

I	2	3	4	5
Mawaiya Layak				
	305	0	02	53
	301	0	00	40
	302	0	28	85
	289	0	15	68
	288	0	00	50
	283	0	14	68
	282	0	05	83
	273	0	19	62
	174	0	02	00
	186	0	00	91
	187	0	07	50
	194	0	26	74
	197	0	08	65
	198	0	07	68
	199	0	08	66
	200	0	00	42
	206	0	16	71
	136	0	00	40
	116	0	01	50
Supasi				
	1121	0	06	66
	1120	0	11	00
	1123	0	01	20
	1117	0	12	42
	1112	0	05	04
	1116	0	01	90
	1113	0	14	45
	693	0	20	30
	692	0	01	56
	690	0	09	18
	685	0	11	34
	675	0	04	42
	674	0	06	15
	544	0	09	93
	544/13553	0	02	70
	545	0	18	72
	516	0	00	40
	515	0	27	50
	512	0	13	23
	580	0	00	40
	579	0	00	84
	436	0	34	56

1	2	3	4	5
	423	0	11	70
	424	0	00	40
	429	0	02	34
	428	0	08	82
	64	0	04	75
	63	0	03	06
Badarka	151	0	09	46
Harbans	150	0	00	58
	123	0	00	33
	125	0	12	86
	127	0	00	61
	126	0	10	21
	130	0	04	72
	131	0	02	86
	132	0	01	42
Atta	891	0	02	52
	888	0	04	88
	897	0	17	59
	885	0	09	59
	883	0	06	98
	626	0	10	55
	624	0	00	40
	631	0	07	82
	632	0	04	88
	633	0	07	17
	860	0	12	03
	859	0	09	68
	858	0	09	15
	857	0	02	57
	854	0	19	35
	833	0	00	40
	834	0	22	82
	835	0	10	72
	828	0	06	84
	807	0	14	67
	805	0	08	91
	800	0	08	21

1	2	3	4	5
	809	0	05	22
	799	0	01	85
	797	0	00	91
	796	0	02	58
	791	0	00	40
	792	0	00	40
	795	0	04	64
	793	0	09	98
	794	0	00	40
Karaundi	298	0	12	28
	299	0	06	92
	314	0	07	72
	315	0	15	44
	319	0	09	47
	318	0	08	77
	277	0	09	82
	276	0	00	40
	275	0	08	07
	274	0	00	40
	273	0	08	42
	272	0	06	66
	331	0	07	40
	332	0	04	78
	334	0	00	45
	355	0	11	45
	356	0	00	40
	354	0	02	73
	353	0	08	15
	351	0	07	37
	352	0	01	75
	350	0	05	95
	377	0	00	76
Potariha	1702	0	05	45
	1274	0	10	68
	1273	0	00	75
	1266	0	17	63
	1265	0	00	40
	1194	0	10	11
	1201	0	08	70
	1193	0	01	40

1	2	3	4	5
	1200	0	14	77
	1198	0	10	78
	1197	0	07	54
	1196	0	07	14
	1160	0	04	21
	1157	0	09	03
	960	0	04	41
	688	0	27	84
	682	0	11	94
	683	0	04	66
	680	0	00	40
Mogalpur	338	0	00	40
	336	0	33	29
	330	0	10	31
	319	0	09	68
	320	0	04	81
	314	0	15	88
	255	0	00	80
	315	0	00	40
	256	0	16	45
	251	0	02	95
	257	0	04	01
	258	0	04	01
	259	0	04	44
	260	0	12	01
	265	0	02	92
	266	0	18	07
	129	0	13	28
	134	0	28	36
	147	0	04	76
	148	0	13	93
	150	0	09	20
	142	0	00	40
Korari Kalan	3059	0	00	40
	3058	0	00	40
	3056	0	24	21
	2995	0	06	60
	2994	0	06	23
	773	0	06	42
	750	0	08	31

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751	0	00	40
749	0	00	51
748	0	12	72
747	0	07	21
730	0	00	40
731	0	19	30
674	0	10	65
665	0	04	04
666	0	05	12
661	0	06	95
660	0	01	02
659	0	00	40
657	0	06	92
655	0	02	85
656	0	03	13
518	0	06	40
516	0	09	68
513	0	04	46
514	0	04	03
511	0	19	43
428	0	11	98
422	0	06	43
417	0	28	47
375	0	09	83
373	0	06	74
372	0	04	73
371	0	11	64
320	0	02	01
310	0	08	89
311	0	02	45
312	0	01	17
667	0	00	40

Jamuka

306	0	16	86
308	0	04	03
309	0	03	23
310	0	02	81
311	0	03	66
313	0	04	37
342	0	28	01
343	0	06	86

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	349	0	11	34
	351	0	04	85
	352	0	03	77
	353	0	00	40
	661	0	06	14
	660	0	05	37
	380	0	00	40
	378	0	17	90
	374	0	10	98
	373	0	11	01
	369	0	20	48
	364	0	32	19
	14	0	05	57
	24	0	03	93
	23	0	06	42
	16	0	00	40
	20	0	07	53
	21	0	01	18
	19	0	00	65
Nandauli	437	0	00	33
	435	0	01	17
	467	0	18	16
	460	0	06	00
	458	0	00	40
	683	0	03	65
	684	0	06	84
	671	0	07	03
	689	0	14	50
	688	0	01	43
	690	0	04	51
	691	0	01	92
	692	0	02	16
	694	0	01	93
	668	0	09	58
	649	0	01	39
	652	0	01	20
	653	0	07	52
	635	0	07	95
	633	0	08	70

1	2	3	4	5
Raipur Bujurg	330	0	02	41
	331	0	16	54
	349	0	05	93
	352	0	04	91
	354	0	10	60
	353	0	05	73
	1601	0	05	01
	1602	0	00	40
	1598	0	12	22
	1594	0	06	92
	1593	0	00	40
	1596	0	04	02
	1572	0	03	41
	1674	0	20	01
	1675	0	09	42
	1676	0	03	03
	1557	0	02	04
	1556	0	05	60
	1555	0	10	90
	1543	0	14	11
	1541	0	04	93
	1542	0	00	70
	1707	0	00	70
	1744	0	02	61
	1748	0	05	69
	1751	0	16	13
	1750	0	00	40
	1757	0	01	42
	1479	0	03	60
	1471	0	01	05
	1470	0	02	28
	1370	0	27	79
	1371	0	06	98
	1387	0	08	34
	1374	0	08	54
	1386	0	00	40
	1375	0	04	45
	1380	0	00	62
	1379	0	02	93
	1031	0	07	48
	1030	0	01	41
	1032	0	07	92

1	2	3	4	5
	1037	0	04	94
	1045	0	04	42
	1046	0	03	47
	973	0	02	00
	974	0	03	00
	975	0	06	71
	976	0	07	12
	981	0	06	64
	954	0	03	80
	953	0	08	64
	952	0	02	81
	947	0	04	22
	948	0	03	61
	1707	0	00	40
	1405	0	01	64
	1052	0	00	40
	1047	0	00	40
Orhar	3013	0	07	06
	3009	0	00	40
	3008	0	11	62
	3007	0	00	80
	3006	0	03	06
	3004	0	10	75
	3005	0	02	58
	2999	0	03	74
	2995	0	11	43
	2994	0	08	19
	2993	0	03	38
	2245	0	10	15
	2244	0	01	99
	2243	0	22	45
	2238	0	23	87
	2239	0	01	78
	2164	0	01	25
	2165	0	08	91
	2176	0	09	97
	2177	0	04	05
	2178	0	03	64
	2096	0	04	58
	2097	0	09	97

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2095	0	00	40
2094	0	00	40
2098	0	03	92
2079	0	07	25
2080	0	04	05
2081	0	03	53
2082	0	04	70
2084	0	00	40
2078	0	03	14
2077	0	04	70
1484	0	01	46
1582	0	03	06
1581	0	07	13
1580	0	15	61
1578	0	05	15
1577	0	04	42
1361	0	29	40
1362	0	00	40
1365	0	05	94
1364	0	08	61
1381	0	08	68
1372	0	03	32
1377	0	09	53
1380	0	00	40
1376	0	05	49
1440	0	02	35
1442	0	04	39
1439	0	02	91
1401	0	11	58
1402	0	03	33
1437	0	08	00
1436	0	00	40
1403	0	13	45
1415	0	06	42
1413	0	04	31
1414	0	03	29
180	0	13	08
181	0	00	40
178	0	11	55
175	0	00	94
177	0	03	72
176	0	04	52

1	2	3	4	5
	201	0	02	85
	202	0	04	66
	203	0	07	63
	204	0	04	60
	205	0	00	40
	207	0	14	14
	253	0	00	40
	221	0	01	65
	214	0	02	41
	219	0	06	62
	216	0	02	23
	216	0	02	20
	217	0	06	82
Sarai Katiyan				
	1688	0	12	93
	1692	0	00	93
	1693	0	48	67
	1673	0	11	18
	1664	0	07	26
	1669	0	05	21
	1667	0	04	52
	1626	0	03	40
	1666	0	00	40
	1665	0	01	82
	1625	0	04	66
	1627	0	03	68
	1622	0	07	13
	1621	0	07	44
	1615	0	10	34
	1616	0	00	47
	1628	0	03	66
	1631	0	00	40
	1614	0	05	16
	1613	0	00	40
	1612	0	00	40
	1599	0	02	35
	1609	0	03	67
	1608	0	00	40
	1610	0	02	82
	1598	0	05	49

1	2	3	4	5
	1596	0	07	97
	1157	0	00	63
	1155	0	00	39
	1158	0	00	10
	1156	0	31	42
	1149	0	01	63
	1147	0	00	41
	1148	0	07	94
	1146	0	11	96
	1092	0	63	67
	1091	0	19	50
	1078	0	13	66
	1074	0	06	39
	1060	0	08	29
	1061	0	04	68
	1052	0	05	22
	1050	0	02	92
	1049	0	02	35
	1048	0	00	63
	1046	0	07	47
	1045	0	02	35
	1044	0	09	33
	1022	0	11	23

Murtaza Nagar 2181 0 03 01
 2179 0 01 66

Sunedha 184 0 28 55
 178 0 12 31
 179 0 00 64
 29 0 11 54
 27 0 05 03
 24 0 24 52
 6 0 15 35
 1 0 10 14

नई दिल्ली, 14 दिसम्बर, 1999

का.आ. 3613.— केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि सोटर स्प्रीट उच्चकोटि किरोसिन तेल और उच्चवंदेग डीजल के केरल राज्य, में भारत पेट्रोलियम कारपोरेशन लिमिटेड के इरमपानम् कोचीन, में इरंमपानम् संस्थापन से तमिलनाडु में करुर तक परिवहन के लिए पेट्रोनेट सी.सी.के. लिमिटेड। द्वारा पाइपलाइन विछायी जानी चाहिए।

और केन्द्रीय सरकार को प्रतीत होता है कि ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित भूमि में, जिसमें ऐसी पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 की 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उसमें उपभोग का अधिकार अर्जित करने के अपने आशय की घोषणा करती है।

अतः उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां जनता को उपलब्ध करा दिए जाने की तारीख से इक्कीस दिन के भीतर इनमें उपयोग के अधिकार के अर्जन या भूमि में पाइपलाइन बिछाने के संबंध में आक्षेप, लिखित रूप में श्री ए.टी. जेम्स, स्सम प्राधिकारी कोचीन, कोयम्बटूर, करुर पाइपलाइन परियोजना गोल्डन प्लाजा, एनेक्स, चित्तूर रोड, कोचीन, 18, केरल राज्य, पिन-682 018 को कर सकेगा।

अनुसूची

राज्य - केरल

जिला - विश्रू

तालुका - मुकुन्दपुरम्

गाँव (1)	सर्वेक्षण संख्या (2)	धेत्र (लगभग)		
		हेक्टेयर (3)	आरे (4)	वर्गमीटर (5)
1) मुरिनगर धृकूमारी	362/5	0	01	03
2) कल्तूर धृकूमरी	636	0	05	00
	395/1	0	01	50
	395/2	0	01	00
	395/3	0	03	00
	395/4	0	02	50
	399	0	05	00
	398	0	04	80
	389	0	16	50
	390	0	13	00
	391	0	15	00
	396	0	02	00
	378	0	06	20
	393/4	0	14	00
	392/1	0	02	00
	392/3	0	04	00
	392/7	0	01	00
	392/4,6	0	03	00
	363	0	04	59
	440/4	0	07	94
	438	0	00	40
	817	0	02	41
	818	0	02	67
	816	0	01	64
	811/1	0	00	76
	811/4	0	00	77
	811/5	0	00	09
	798	0	00	79
	796	0	00	20
	795	0	00	39
	792	0	02	80
	747/1	0	03	38
	743/2	0	00	34

(1)	(2)	(3)	(4)	(5)
	743/3	0	00	08
	742	0	00	64
	724/3	0	00	77
	724/2	0	00	56
	724/1	0	00	52
	725	0	00	64
	689/1	0	00	98
	689/2	0	01	57
	688	0	00	08
	684	0	00	90
	683/2	0	00	45
	651/2	0	00	60
	649/6	0	07	26
	647	0	00	53
	635	0	00	70
	643	0	01	22
	630	0	03	92
	812	0	04	00
	629	0	03	00
3)	कलसूर थाडाकूमरी	64	0	01
		94	0	01
		96	0	00
		88	0	00
		86/1	0	00
		86/2	0	00
		119	0	01
		120	0	00
		83	0	00
		121	0	00
		122/5	0	01
		122/11	0	00
		122/3	0	00
		123/1	0	00
		917/1	0	01
		878	0	02
		868	0	00
		866	0	02
		863	0	00
		1009/1	0	01
				61

(1)	(2)	(3)	(4)	(5)
	1009/3	0	00	06
	1008/2	0	00	95
	1039/1	0	00	12
	1040/1	0	00	51
	1039/2	0	00	71
	1041	0	00	88
	1038/2	0	01	75
	1034	0	01	52
	1031/1	0	00	10
	1030/1	0	04	90
	1030/2	0	02	38
	1064/2	0	01	28
	1064/5	0	03	41
	1066/3	0	01	95
	1087/2	0	02	74
	1097	0	00	33
	1211/2	0	00	16
	1231	0	00	52
	1229	0	01	34
	1222/2	0	05	59
	1222/3	0	00	85
	1218/1	0	00	28
	1221	0	02	22
	1094/1	0	00	19
	1294/2	0	00	28
4) कोटकरा	1273/1	0	10	00
	1278	0	45	70
	1275	0	04	20
	935	0	02	00
	931	0	03	00
	927	0	19	50
	929	0	27	00
	930	0	36	00
	941	0	06	00
	942	0	07	00
	914	0	27	50
	913	0	02	00
	912	0	10	00

(1)	(2)	(3)	(4)	(5)
	911	0	10	00
	910	0	04	00
	909	0	17	10
	959	0	01	20
	829	0	07	00
	820	0	02	00
	821	0	05	70
	818	0	10	00
	817	0	05	00
	822	0	01	20
5) नेल्लायी	586	0	20	20
6) तोरव	398/1	0	00	83
7) पाणन्चेरी	146/1	0	02	90
(खण्ड सं0 - 77)	146/3	0	21	00
	146/4	0	01	25
	147/4	0	00	80
	148/1	0	07	30
	148/3	0	11	00
	148/4	0	02	90
	148/5	0	03	50
	148/7	0	00	60
	161/1	0	13	50
	162/pt	0	19	80
	159/2	0	28	50
	158/2	0	00	80
	221/pt	0	28	00
	222/3	0	03	90
	222/8	0	06	80
	222/9	0	09	80
	222/10	0	00	20
	222/11	0	01	00
	222/12	0	00	80
	223/1	0	12	00
	224/8	0	00	80
	227/1	0	27	00

(1)	(2)	(3)	(4)	(5)	(6)
591/1 pt					
592/pt	}	504/1	0	28	75
591/1 pt		504/2	0	01	35
591/1,2,3pt		504/3	0	10	50
591/3 pt		504/4	0	01	60
590/2 pt		504/5	0	01	15

[सं. आर.-31015/13/98-ओ.आर.-II]

हरीश कुमार, अधर सचिव

New Delhi, the 14th December, 1999

S.O. 3613.— Whereas it appears to the central Government that it is necessary in the public interest that for the transport of motor spirit, superior kerosene oil and high speed diesel from Irlimpanam installation of Bharat Petroleum Corporation Limited, Irlimpanam, Cochin in the State of Kerala to Karur in the State of Tamil Nadu, pipelines should be laid by Petronet CCK Limited;

And whereas, it appears to the Central Government that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the lands under which such pipelines is proposed to be laid, described in the Schedule annexed to this notification;

Now, therefore, in the exercise of powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule, may within twenty one days from the date on which the copies of this notification, as published in the Gazette of India are made available to the general public, object in writing to the acquisition of right of user therein or laying of the pipelines under the land to Sri. Aikkaraparambil Thomas James, Competent Authority (Kerala), Cochin-Coimbatore-Karur Pipeline Project, Golden Plaza Annexe, Chittoor Road, Cochin – 18, Kerala State, Pin – 682 018.

S C H E D U L E

STATE : KERALA

DISTRICT : THRISSUR

TALUK : MUKUNDAPURAM

VILLAGE (1)	SURVEY NUMBERS (2)	AREA (APPROXIMATE)		
		HECTARES (3)	ARES (4)	SQ.MTRS (5)
1) MURINGUR THEKKUMURI	362/5	0	01	03
2) KALLUR THEKKUMURI	636	0	05	00
	395/1	0	01	50
	395/2	0	01	00
	395/3	0	03	00
	395/4	0	02	50
	399	0	05	00
	398	0	04	80
	389	0	16	50
	390	0	13	00
	391	0	15	00
	396	0	02	00
	378	0	06	20
	393/4	0	14	00
	392/1	0	02	00
	392/3	0	04	00
	392/7	0	01	00
	392/4,6	0	03	00
	363	0	04	59
	440/4	0	07	94
	438	0	00	40
	817	0	02	41
	818	0	02	67
	816	0	01	64
	811/1	0	00	76
	811/4	0	00	77
	811/5	0	00	09
	798	0	00	79
	796	0	00	20
	795	0	00	39
	792	0	02	80
	747/1	0	03	38
	743/2	0	00	34

(1)	(2)	(3)	(4)	(5)
	743/3	0	00	08
	742	0	00	64
	724/3	0	00	77
	724/2	0	00	56
	724/1	0	00	52
	725	0	00	64
	689/1	0	00	98
	689/2	0	01	57
	688	0	00	08
	684	0	00	90
	683/2	0	00	45
	651/2	0	00	60
	649/6	0	07	26
	647	0	00	53
	635	0	00	70
	643	0	01	22
	630	0	03	92
	812	0	04	00
	629	0	03	00
3) KALLUR	64	0	01	20
VADAKKUMURI	94	0	01	07
	96	0	00	23
	88	0	00	50
	86/1	0	00	46
	86/2	0	00	47
	119	0	01	32
	120	0	00	31
	83	0	00	62
	121	0	00	55
	122/5	0	01	28
	122/11	0	00	21
	122/3	0	00	54
	123/1	0	00	21
	917/1	0	01	82
	878	0	02	66
	868	0	00	63
	866	0	02	41
	863	0	00	51
	1009/1	0	01	61

(1)	(2)	(3)	(4)	(5)
	1009/3	0	00	06
	1008/2	0	00	95
	1039/1	0	00	12
	1040/1	0	00	51
	1039/2	0	00	71
	1041	0	00	88
	1038/2	0	01	75
	1034	0	01	52
	1031/1	0	00	10
	1030/1	0	04	90
	1030/2	0	02	38
	1064/2	0	01	28
	1064/5	0	03	41
	1066/3	0	01	95
	1087/2	0	02	74
	1097	0	00	33
	1211/2	0	00	16
	1231	0	00	52
	1229	0	01	34
	1222/2	0	05	59
	1222/3	0	00	85
	1218/1	0	00	28
	1221	0	02	22
	1094/1	0	00	19
	1294/2	0	00	28
4) KODAKARA	1273/1	0	10	00
	1278	0	45	70
	1275	0	04	20
	935	0	02	00
	931	0	03	00
	927	0	19	50
	929	0	27	00
	930	0	36	00
	941	0	06	00
	942	0	07	00
	914	0	27	50
	913	0	02	00
	912	0	10	00

(1)	(2)	(3)	(4)	(5)
	911	0	10	00
	910	0	04	00
	909	0	17	10
	959	0	01	20
	829	0	07	00
	820	0	02	00
	821	0	05	70
	818	0	10	00
	817	0	05	00
	822	0	01	20
5) NELLAYI	586	0	20	20
6) THORAVA	398/1	0	00	83

TALUK : THRISSUR

7) PANANCHERY (BLOCK No.77)	146/1	0	02	90
	146/3	0	21	00
	146/4	0	01	25
	147/4	0	00	80
	148/1	0	07	30
	148/3	0	11	00
	148/4	0	02	90
	148/5	0	03	50
	148/7	0	00	60
	161/1	0	13	50
	162/pt	0	19	80
	159/2	0	28	50
	158/2	0	00	80
	221/pt	0	28	00
	222/3	0	03	90
	222/8	0	06	80
	222/9	0	09	80
	222/10	0	00	20
	222/11	0	01	00
	222/12	0	00	80
	223/1	0	12	00
	224/8	0	00	80
	227/1	0	27	00

VILLAGE	SURVEY NUMBERS	RE-SURVEY NUMBERS (NOT FINAL)	AREA (APPROXIMATE)		
			HECTARES	ARES	SQ.MTRS
(1)	(2)	(3)	(4)	(5)	(6)
8) PEECHI (BLOCK NO.79)	2152,2739	209	0	32	00
	2740,2741,				
	2744,2745 }	210	0	32	00
	2741	212	0	09	00
	1832,1834,				
	1075,1076 }	205	0	39	60
	1833,1832,				
	1076 }	204	0	13	50
	2805,2808	203	0	07	20
	2806,2807	202	0	00	40
	2806	201	0	30	00
	2806,2804,				
	1829,1830 }	200	0	24	00
	2805,2808	198	0	40	50
	1098	114	0	23	40
	1877,1828 }				
	1829,1110 }	111	0	27	00
	1101,1100	103	0	28	00
	627/pt,				
	628/pt				
	1749/pt	478/pt	0	29	00
	1760/pt				
	2360/pt				
	607/pt				
	608/pt				
	1750/pt				
	2363/pt				
	2364/pt	481/pt	0	36	00
	2365/pt				
	2366/pt				
	2367/pt				
	2780/1/pt	31/1/pt	0	04	00
	2779/3/pt	31/2/pt	0	07	00
	830/1/pt	31/4/pt	0	01	00
	2779/1/pt				
	2779/4/pt }	31/8/pt	0	06	00
	1820/pt				

(1)	(2)	(3)	(4)	(5)	(6)
591/1 pt }					
592/pt } 591/1 pt	504/1	0	28	75	
591/1,2,3pt	504/2	0	01	35	
591/3 pt	504/3	0	10	50	
590/2 pt	504/4	0	01	60	
	504/5	0	01	15	

[F. No. R-31015/13/98-OR-III]
HARISH KUMAR, Under Secy.

नई दिल्ली, 14 दिसम्बर, 1999

का. आ. 3614.— केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइप-लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का आ. 217 तारीख 20 जनवरी 1999 द्वारा मोटर स्प्रिट, उच्च कोटि किरोसिन तेल और उच्च घेंडीजल के केरल राज्य में भारत पेट्रोलियम कारपोरेशन लिमिटेड के इरिपानम् कोच्ची संस्थापन से तामिलनाडु राज्य के कर्लर तक परिवहन के लिए मेंसंर्स सी.सी.के.लिमिटेड द्वारा पाइपलाईन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में बिनिर्दिष्ट भूमि में उपयोग के अधिकारों के अर्जन के अपने आशय की घोषणा की थी। और उक्त राजपत्रित अधिसूचना की प्रतियां जनता को क्रमशः तारीख 10.02.99 से तक उपलब्ध करा दी गई थी।

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसारण में समक्ष प्रधिकारी ने केन्द्रीय सरकार को रिपोर्ट दे दी है।

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि पेट्रोलियम के परिवहन हेतु पाइपलाईन बिछाए जाने के लिए उक्त भूमि अपेक्षित है;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए इस अधिसूचना से संलग्न अनुसूची में बिनिर्दिष्ट भूमि में उपयोग के अधिकार अर्जित करने की घोषणा करती है:

यह और कि केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार, केन्द्रीय सरकार में निहित होने की बजाए सभी दिल्लगंगों से मुक्त होकर पेट्रोनेट सी.सी.के.लिमिटेड में निहित होंगे।

अनुसूची

राज्य - केरल

जिला - त्रिशूर

तालुका - मुकुन्दपुरम

गाँव	सर्वेक्षण संख्या	क्षेत्र (लगभग)		
		हेक्टेयर	आरे	वर्गमीटर
(1)	(2)	(3)	(4)	(5)
1) मुरिनपुर [*] थेक्कूम्परी	362/5	0	03	82
2) मुरिनपुर थाळाकूमरी	262	0	10	09
3) कल्लूर थेक्कूम्परी	363 440/1 440/4 344/2 344/3 438 817 818 816/2 815/2 808 811/1 811/2 811/3 811/4	0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	80 40 06 09 02 00 12 00 01 26 19 03 03 04 00	75 57 64 77 37 77 97 50 73 45 32 56 76 68 30

(1)	(2)	(3)	(4)	(5)
	811/5	0	02	34
	798/1	0	04	97
	798/3	0	05	76
	796	0	08	20
	795	0	14	17
	746	0	03	44
	747/1	0	01	20
	745/3	0	22	86
	743/2	0	03	33
	743/3	0	05	42
	742	0	11	90
	738	0	18	57
	724/3	0	16	50
	724/1	0	13	81
	725	0	16	01
	708	0	04	97
	704	0	15	85
	689/1	0	02	92
	688	0	08	24
	685/1	0	03	62
	684	0	07	93
	683/1	0	04	99
	683/2	0	02	55
	651/1	0	01	29
	649/6	0	04	44
	649/4	0	03	00
	648	0	01	55
	647	0	10	75
	635	0	14	17
	643	0	11	96
	630	0	21	68
	631	0	09	67
4)	फल्लूर याडाकूनरी	7	24	00
		6	01	56
		9	00	30
		10	05	44
		55	00	86
		56	11	48
		65	11	75
		64	02	50
		92	00	78
		93	09	90
		94	04	50
		96	01	00
		95	10	77
		2198	01	71
		86/1	07	96
		86/2	08	46
		111	02	98

(1)	(2)	(3)	(4)	(5)
84	0	01	00	
119	0	08	40	
120	0	11	84	
83	0	00	81	
121	0	06	40	
122/5	0	05	19	
122/11	0	07	17	
122/3	0	05	11	
123/1	0	07	95	
915	0	01	83	
920	0	00	46	
918/2	0	12	14	
919	0	08	63	
917/1	0	08	94	
944/1	0	02	27	
874	0	16	70	
876	0	11	77	
878	0	05	42	
869	0	05	73	
868	0	08	24	
867	0	14	07	
866	0	07	11	
865	0	15	48	
863	0	01	21	
864	0	08	22	
1009/1	0	04	74	
1009/4	0	11	88	
1008/1	0	03	75	
1008/2	0	03	97	
1008/3	0	04	40	
1040/1	0	10	00	
1039/1	0	14	84	
1039/2	0	14	24	
1041	0	01	13	
1044	0	00	25	
1038/2	0	00	86	
1038/1	0	00	93	
1010/2	0	35	38	
1034	0	08	58	
1033	0	16	13	
1032/2	0	02	33	
1061	0	07	16	
1031/1	0	00	81	
1030/1	0	03	85	
1030/2	0	01	57	
1064/5	0	00	87	
1063/1	0	01	06	
1066/2	0	06	30	
1066/3	0	05	02	

(1)	(2)	(3)	(4)	(5)
1068/3	0	17	86	
1087/2	0	22	92	
1089/2	0	53	86	
1097	0	01	47	
1098	0	08	11	
1211/2	0	24	85	
1213/2	0	16	84	
1229	0	17	73	
1222/2	0	21	77	
1218/1	0	02	89	
1221	0	10	50	
1195	0	14	65	
1194/1	0	04	62	
1194/2	0	03	93	
1193	0	06	55	

[सं. आर-31015/13/98-ओ.आर-II]

हरीश कमार, अवकर सचिव

New Delhi, the 14th December, 1999

S.O. 3614.— Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No.S.O. 217 dated the 20th January, 1999 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962, (50 of 1962), (hereinafter referred to as said Act), the Central Government declared its intention to acquire the right of user in the land, specified in the Schedule appended to that notification, for the purpose of laying pipelines for the transportation of motor spirit, superior kerosene oil and high speed diesel from the Irimpanam installation of Bharat Petroleum Corporation Limited, Irimpanam, Kochi in the State of Kerala to Karur in the State of Tamil Nadu and pipelines should be laid by M/s Petronet CCK Limited;

And, whereas, the copies of said Gazette notification has been made available to the public from the 18th day of February, 1999;

And, whereas, the competent authority in pursuance of sub-section (1) of section 6 of the said Act has submitted the report to the Central Government;

And, whereas, the Central Government, after considering the said report is satisfied that the said land are required for the laying of the pipelines for the transport of petroleum;

Now, therefore in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said land, specified in the schedule appended to this notification, are hereby acquired;

And, further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land shall instead of vesting in the Central Government, vest, free from all encumbrances, in the Petronet CCK Limited.

SCHEDULE

STATE : KERALA

DISTRICT : THRISSUR

TALUK : MUKUNDAPURAM

VILLAGE (1)	SURVEY NUMBERS (2)	AREA		
		HECTARES (3)	ARES (4)	SQ.MTRS. (5)
1) MURINGUR THEKKUMURI	362/5	0	03	82
2) MURINGUR VADAKKUMURI	262	0	10	09
3) KALLUR THEKKUMURI	363 440/1 440/4 344/2 344/3 438 817 818 816/2 815/2 808 811/1 811/2 811/3 811/4	0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	80 40 06 09 02 00 12 00 01 26 19 03 03 04 00	75 57 64 77 37 77 97 50 73 45 32 56 76 68 30

(1)	(2)	(3)	(4)	(5)
	811/5	0	02	34
	798/1	0	04	97
	798/3	0	05	76
	796	0	08	20
	795	0	14	17
	746	0	03	44
	747/1	0	01	20
	745/3	0	22	86
	743/2	0	03	33
	743/3	0	05	42
	742	0	11	90
	738	0	18	57
	724/3	0	16	50
	724/1	0	13	81
	725	0	16	01
	708	0	04	97
	704	0	15	85
	689/1	0	02	92
	688	0	08	24
	685/1	0	03	62
	684	0	07	93
	683/1	0	04	99
	683/2	0	02	55
	651/1	0	01	29
	649/6	0	04	44
	649/4	0	03	00
	648	0	01	55
	647	0	10	75
	635	0	14	17
	643	0	11	96
	630	0	21	68
	631	0	09	67
4) KALLUR VADAKKUMURI	7	0	24	00
	6	0	01	56
	9	0	00	30
	10	0	05	44
	55	0	00	86
	56	0	11	48
	65	0	11	75
	64	0	02	50
	92	0	00	78
	93	0	09	90
	94	0	04	50
	96	0	01	00
	95	0	10	77
	2198	0	01	71
	86/1	0	07	96
	86/2	0	08	46
	111	0	02	98

(1)	(2)	(3)	(4)	(5)
84	0	01	00	
119	0	08	40	
120	0	11	84	
83	0	00	81	
121	0	06	40	
122/5	0	05	19	
122/11	0	07	17	
122/3	0	05	11	
123/1	0	07	95	
915	0	01	83	
920	0	00	46	
918/2	0	12	14	
919	0	08	63	
917/1	0	08	94	
944/1	0	02	27	
874	0	16	70	
876	0	11	77	
878	0	05	42	
869	0	05	73	
868	0	08	24	
867	0	14	07	
866	0	07	11	
865	0	15	48	
863	0	01	21	
864	0	08	22	
1009/1	0	04	74	
1009/4	0	11	88	
1008/1	0	03	75	
1008/2	0	03	97	
1008/3	0	04	40	
1040/1	0	10	00	
1039/1	0	14	84	
1039/2	0	14	24	
1041	0	01	13	
1044	0	00	25	
1038/2	0	00	86	
1038/1	0	00	93	
1010/2	0	35	38	
1034	0	08	58	
1033	0	16	13	
1032/2	0	02	33	
1061	0	07	16	
1031/1	0	00	81	
1030/1	0	03	85	
1030/2	0	01	57	
1064/5	0	00	87	
1063/1	0	01	06	
1066/2	0	06	30	
1066/3	0	05	02	

(1)	(2)	(3)	(4)	(5)
1068/3	0	17	86	
1087/2	0	22	92	
1089/2	0	53	86	
1097	0	01	47	
1098	0	08	11	
1211/2	0	24	85	
1213/2	0	16	84	
1229	0	17	73	
1222/2	0	21	77	
1218/1	0	02	89	
1221	0	10	50	
1195	0	14	65	
1194/1	0	04	62	
1194/2	0	03	93	
1193	0	06	55	

[F. No. R-31015/13/98-OR-II]
HARISH KUMAR, Under Secy.

धर्म मंत्रालय

नई दिल्ली, 22 नवम्बर, 1999

क.आ. 3615.—श्रीधर्मोगिक विवाद भवित्विम, 1947 (1947 का 14) की धारा 17 के अनुसारण में, केन्द्रीय सरकार सुपरिटेंटिंग अर्थेंजिस्ट मद्रास के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अन्यथा में निवारिंग श्रीधर्मोगिक विवाद में श्रीधर्मोगिक अधिकरण, चंबड़ी के प्रबन्ध की प्रकाशित करती है, जो केन्द्रीय सरकार को 22-11-99 को आप्त कुशल था।

[सं. एस.-42012/105/93-प्राइ.आर. (झ.यू.)]
कुलदीप राय वर्मा, डैस्ट्रिक्ट अधिकारी

MINISTRY OF LABOUR

New Delhi, the 22nd November, 1999

S.O. 3615.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Chennai as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Superintending Archaeologist Madras and their workman, which was received by the Central Government on 22-11-99.

[No. L-42012/105/93-IR(DU)]
KULDIP RAI VERMA, Desk Officer
ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL, TAMIL NADU
CHENNAI

Friday, the 13th day of August, 1999

PRESENT :

Shri S. Ashok Kunrar, M.Sc. B.E., Industrial Tribunal.

INDUSTRIAL DISPUTE No. 188 OF 1994

In the matter of the dispute for adjudication under section 10(1)(d) of the Industrial Disputes Act, 1947 between the workman and the management of Archaeological Survey of India, Madras).

BETWEEN

Shri M. Balakrishnan, Casual Labour, Gingee,
32, Thiruvalluvar Street, Peerangamedu,
Gingee, Pin-604202.

AND

The Superintending Archaeologist,
Archaeological Survey of India,
Madas Circle, Fort St. George, Madras-600009.

REFERENCE :

Order No. L-42012/105/93-IR(DU), dated 30-9-94

Ministry of Labour, Govt. of India, New Delhi.

This dispute coming on for final hearing on Wednesday the 7th day of July, 1999, upon perusing the reference, Claim and Counter statements and all other material papers on record and upon hearing the arguments of Shri R. Viduthalai, advocate appearing for the workman and of Tmt. C. K. Vishnu Priya, Addl. Central Govt. Standing Counsel appearing for the management, and this dispute having stood over till this day for consideration, this Tribunal made the following

AWARD

This reference has been made for adjudication of the following issue:

"Whether the action of the Superintending Archaeologist, Madras in terminating the services of Shri M. Balakrishnan w.e.f. 22-5-90 is proper, legal and justified? If not, to what relief the workman is entitled".

2. The main averments found in the Claim statement filed by the petitioner are as follows:

The respondent is the Management of Archaeological Survey of India run by the Central Government which is responsible for the preservation and maintenance of all ancient historical monuments such as temples, Fort etc, and the Fort at Gingee is one among such monuments. The petitioner was employed as a Casual Labour under the respondent management in Fort Gingee from 1985 till his services were illegally terminated on 22-5-90. Nature of work performed by the petitioner was permanent and he worked as a Casual Labourer for more than 6 years. The petitioner was expecting regular employment which was repeatedly promised from time to time. The petitioner was discharging his duties diligently and sincerely without giving any room for any complaint. On 22-5-90, to his shock and surprise, the petitioner was informed that the services are terminated. No written order of termination was served on the petitioner. The termination was sought to be justified on the ground that the petitioner had not fulfilled the eligible condition of regular absorption as stipulated in O.M. No. 49014/4/90 Estt(c) dated 8-4-1991. The termination of the petitioner's service amounts to retrenchment within the meaning of Sec. 2(oo) of the Industrial Dispute Act, 1947. The termination of the services of the petitioner was resorted to without complying with the Mandatory Statutory conditions contained in Sec. 25(F) of the I.D. Act 1947. Hence the termination of the service of the petitioner is illegal, invalid, null and void. The petitioner has admittedly completed more than 240 days in a period of 12 Calendar months and as such he is entitled to the benefits of the provisions of Sec 25F of the I.D. Act. While resorting to retrenchment, the respondent did not follow the procedure contemplated by Sec. 25-G of the Act in as much as persons who are juniors to the petitioner were retained in service and are still continued in the employment of the respondent. The petitioner has been pursuing his remedies continuously by making repeated representations to various authorities. The petitioner is without employment for the past 5 years and is put to untold suffering and hardship. The petitioner prays to pass an award setting aside the order of termination directing the respondent to reinstate him with continuity of service backwages and other attendant benefits.

3. The main averments found in the Counter statement filed by the respondent are as follows:

The petitioner was engaged on daily wages by the respondent department at Gingee Fort w.e.f. 11-2-88 to 22-5-90. The petitioner was engaged on work which was not a permanent nature. For execution of the conservation work, the department engages casual labourers every year depending on the nature and requirements, and such engagement is done purely on temporary basis. As and when the works are completed the labourers are dispensed with from engagement. The petitioner was not working in 1995 and he worked from 11-2-88 only upto 22-5-90. The petitioner's claim that he had worked continuously for more than 6 years is false. The petitioner has worked as follows:

1988—79 days.

1989—275 days.

1990—100 days.

The petitioner was not given any promise for regularising the services. The regularisation of services of casual labourers has to be done in accordance with the instructions of the Govt. of Ind'a. Casual labourers are not engaged by written orders. The petitioner was engaged as Marzdoor Grade-I for the execution of conservation work and when the work was over, his services were stopped. As per the Official Memorandum dated 8-4-91 of the Govt. of India, Casual labourers who were recruited prior to 7-6-88 are eligible for regular appointment provided they are otherwise eligible. The

casual labourers should have worked for 240 days during each of the two years for considering them for regularisation. The applicant has not put in services of 240 days per year for 2 years. Hence this contention for regularisation cannot be admitted in the light of the instructions of the Government of India. Engagement of casual labourers is only on need basis and also depends on the availability of funds and the provisions in the estimate and if the funds are exhausted and in case works are completed then the casual labourers will have to be stopped from work as their wages cannot be paid due to paucity of funds and also when there is no work. The department is not covered by the I.D. Act 1947 and hence the question of retrenchment does not arise. Any claim from the casual labourers and ex-casual labourers for regularisation has to be brought before the Central Administrative Tribunal jurisdiction. Similar matter was disposed off by the Central Administrative Tribunal. The respondent prays to dismiss the petition.

4. No witness was examined for both sides. Ex. W1 to W12 were marked on behalf of the petitioner and Ex. M1 to M3 were marked on behalf of the respondent by consent.

5. The Point for consideration is whether the action of the Superintending Archaeologist Madras in terminating the services of the petitioner Sri M. Balakrishnan w.e.f. 22-5-90 is proper, legal and justified? If not, to what relief the workman is entitled".

6. The Point : The Petitioner Mr. Balakrishnan, was employed as Casual Labourer at least from 11-2-88 till 22-5-90 as admitted by the respondent even though claims to have been engaged as a Casual labourer from 1985 onwards. According to the petitioner he was terminated from service from 22-5-90 whereas the respondent will contend that the petitioner himself stopped from attending to work by his free will. Ex. M1 is the Statement of number of days worked by the petitioner under the respondent according to which, in the year 1988 from 11-2-88 has worked for 79 days, in 1989 he has worked for 275 days and in the year 1990 upto 22-5-90 he has worked for 100 days. After the alleged termination by the respondent, the petitioner has sent Lawyer's notice dated 20-8-92 for which the respondent has sent Ex. W1 reply. In Ex. W1 reply sent by the respondent, the respondent has admitted that the petitioner worked for 82 days in the year 1988, 259 days in 1989 and 100 days in 1990 and has further stated that the petitioner has left the department on his own accord stating that he wanted to attend to the agricultural cultivation in his own land. On 1-2-93, the petitioner has sent Ex. M2 letter to the Labour Officer with a copy to the respondent and the acknowledgement card signed by the Labour Officer is Ex. W3. The comments on the representation of the petitioner submitted by the respondent is Ex. W4. Letter sent by the petitioner to the ACL, Madras, on 15-5-93 is Ex. W5 Conciliation Failure Report is Ex. W6. The petitioner's letter to the Secretary of Government of India, Ministry of Labour is Ex. W7 and the petitioner's letter to the Labour Inspector (Central) is Ex. W8.

7. According to the petitioner he has worked for more than 240 days in the 12 calendar months immediately preceding the date of his termination/retrenchment and therefore the respondent is bound to follow the provisions u/s 25F of the I.D. Act and failure to do so will entitle him for reinstatement with backwages. The contention of the respondent is that the petitioner has not worked for 240 days as alleged by him, and he has not worked for 240 days in the last two years and therefore he could not be considered for regularisation as per the O.M. No. 49014/4/90 dated 8-4-91. Whether the petitioner had worked for 240 days in the preceding 12 months prior to his retrenchment is to be considered first. Even in 1990 upto 22-5-90 he has worked for 100 days as admitted by the respondent. In 1989 he has worked for 275 days as admitted by the respondent. This would mean that from 1st July 1989 before the end of May 1990 he would have definitely worked for more than 240 days. In the year 1988 till 22-5-1990 he has worked for 454 days. If the paid holidays and sundays are also taken together he would have worked for more than 480 days. Whether Sundays and other paid holidays should also be taken into consideration has been decided by a number of Judgements of the Hon'ble Supreme Court. In 1985 II LLJ at page 539

between The Workmen of American Express International Banking Corporation and The Management of American Express International Banking Corporation the Hon'ble Supreme Court has held as follows :

"S. 25F of the Industrial Disputes Act is plainly intended to give relief to retrenched workers. The expression "actually worked under the employer" cannot mean those days only when the workmen worked with the hammer, sickle or pen but must necessarily comprehend all those days during which he was in the employment of the employer and for which he had been paid wages either under express or implied contract of service or by compulsion of statute Standing orders etc. The explanation to S. 25B(2) is only clarificatory and cannot be used to limit the expance of the main provision. It cannot be said that only those days which are mentioned in the explanation should be taken into account for the purpose of calculating the number of days on which the workmen had actually worked though he had not so worked and no other days".

In 1986 I LLJ at Page 34 between The Management of Standard Motors Products of India Ltd., and Sri A. Parthasarathy and another the Hon'ble Supreme Court has held as follows :

"Section 25B(1) of the Industrial Disputes Act says that a workman shall be said to be in continuous service for a period if he is, for that period, in uninterrupted service, including service which may be interrupted by a strike which is not illegal. According to Shri Pai, since the strike in the case was illegal, there was a break in the continuity of service. There would be force in the submission of Shri Pai if S. 25B(2) did not exist. Under S. 25B(2), where a workman is not in continuous service within the meaning of Cl. (1) for a period of one year he shall be deemed to be in continuous service for a period of one year, if the workman during a period of twelve calendar months preceding the date with reference to which calculation is to be made, has actually worked under the employer for not less than two hundred and forty days. In the present case, even if the period of illegal strike is excluded the number of days during which the workman actually worked under the employer would be found to be more than 240 days. That being so it has to be held that the workmen were in continuous service for a period of one year immediately before the date of closure. The further submission of Shri Pai that the number of days on which the workmen actually worked under the employer would be less than 240 days if Sundays and other holidays for which the workmen were paid wages were excluded has already been answered by us in the case of the Workmen of American Express International Banking Corporation V. The Management of American Express International Banking Corporation referred in (1985 II LLJ 539) in which judgement has just been pronounced by us".

Again in 1991 I LLJ at page 155, Between State Bank of India, Madras And 1. Central Government Industrial Tribunal, Madras and State Bank of India Employees' Union, the Division Bench of the Hon'ble Madras High Court has held as follows :

"Under the Industrial Disputes Act, the emphasis in S. 25B(2)(a)(ii) on the days "actually worked", where a workman can establish as indeed the onus is on him to so establish, that working backwards to a period of 12 months, just preceding the date of his retrenchment he had actually worked for a period of 240 days during those 12 months under the same employer then notwithstanding any number of interruptions in his service on account of reasons other than those which disqualify him for getting the benefit of the fictional service, he would be deemed to have been in continuous service, for a period of one year and would satisfy the eligibility qualification enacted by the Legislature in S. 25F of the Act.

In Workmen of American Express International Banking Corporation V. American Express International Banking Corporation (1985 ILLJ 539), the Apex Court opined that for interpreting the expression "continuous service", the words actually worked have utmost importance and the legislature had laid emphasis of these words and there was, therefore, no scope for the argument that irrespective of the period when a workman has actually worked, he must also establish that he was in service for the entire period of 12 months to claim the protection and benefit of S. 25F of the Act.

Again in State Bank of India V. Sundaramoney (supra) while dealing with the right to retrenchment benefit of a workman in a dispute between the State Bank of India and one of its workmen, the Apex Court found that for computing "continuous service" for purposes entitlement to retrenchment benefits, what was relevant was to consider the days on which the workman had actually worked under an employer during the preceding 12 months, calculated backwards from the date of retrenchment and went on to observe that the provisions of S. 25F could not be allowed to be defeated by reading something non-existent in S. 2(oo) or S. 25B(2) of the Act.

The position, therefore, which emerges from the above discussion as regard the ambit and scope of S. 25F read with S. 25B(2)(a)(ii) and S. 2(oo) of the Act is that no workman employed in an industry who has actually worked under the employer continuously for not less than one year shall be retrenched except following the procedure laid down in S. 25F of the Act, that the termination of service of an employee by the employer, otherwise than on account of punishment or on grounds stipulated by Cls. (a) to (c) of S. 2(oo) would amount to retrenchment of the employee, entitling him to the protection of S. 25F, a workman would be deemed to have been in continuous service for a period of one year in the preceding 12 months calculated backwards from the date of termination of the services, if he has actually worked during the preceding 12 months under the employer for not less than 240 days, despite interruptions of his services during the said period of 12 preceding months, except in the cases specified in S. 25B(a)(ii) itself".

From the decisions cited above, it is clear that when a workman has worked for 240 days in his establishment within one year i.e. 12 calendar months preceding the date of retrenchment he is entitled for the protection under Sec. 25F of the I.D. Act. The respondent wants to take shelter on the ground that the service was not regularised because he has not worked for 240 days in the two years as required under the Official Memorandum mentioned above and also that the petitioner left the service of his own accord. Admittedly, there is no appointment order and it naturally follows that there will be no termination order in writing. Appointment and termination both are oral. The petitioner who was working for at least two years as admitted by the respondent would be expecting the regularisation, more so when his own brother is said to be employed in the same department in the same office. At a time when his services would be regularised in a few months no same person will leave the job voluntarily and go for doing agricultural work in his own land. Such contention of the respondent is only a wild imagination as there is no evidence or proof for the same. The petitioner has contended that his Junior one Meny was retained in service and his service was regularised. The respondent has contended that the said Meny was working from 1987 onwards and his service was regularised in 1991 as per Ex. W11 series. According to Ex. W12, Department of Personnel Training and Casual Labourers (Grant of Temporary Status and regularisation) Scheme temporary status would be conferred on all casual labourers who are in employment on the date of issue of the Official Memorandum and who have rendered a continuous service of at least one year which means that they must be engaged for a period of 240 days. But this scheme has been announced only in 1993 before which the petitioner was retrenched.

8. Admittedly the respondent has failed to follow the procedure envisaged u/s 25F of the I.D. Act, 1947. Since the petitioner was not paid the retrenchment compensation and notice pay as required u/s. 25F of the I.D. Act, the retrenchment is invalid and hence the respondent ought to reinstate the workman in service with backwages.

In 1997 I LLJ page 830, the Hon'ble High Court of Madras has held as follows :

"After having found that the retrenchment is not bona fide, when it considers the relief, the Labour Court is trying to dilate its own finding given earlier and tries to justify the award of compensation in an unreasonable manner. Hence, the order of the Labour Court, relating to award of compensation is quashed and the first respondent is directed to reinstate the petitioner in service with consequential benefits".

In 1997 I LLJ at page 379, between M.K. Padmavathy and The Institute of Hotel Management, Catering Technology and Applied Nutrition Madras, the Hon'ble High Court of Madras has held as follows :

"The question that has to be decided is whether the termination of the petitioner would amount to retrenchment as stated by the respondent in his counter-affidavit. The respondent in his counter-affidavit has stated that the termination of the petitioner was not retrenchment under Sec. 2(oo)(bb) of the Act. It was stated that the termination was strictly under the terms of the enactment and in conformity with the rules and regulations of the institute. The rules and regulations of the institute were not placed before the Court. It is only left with the order of appointment of the petitioner. The first order of appointment clearly says that the appointment was purely temporary and liable to be terminated at any time without any notice. When the petitioner was reinstated on January 21, 1985 even the clause that the appointment was purely temporary and was liable to be terminated without notice was absent in the order dated January 21, 1985. The salary was no doubt paid on contingent basis of Rs 5 per day of work. Can it be inferred that the Order of appointment contained a specific stipulation that there will be a termination of the services of the petitioner as a result of the non-renewal of the contract. It is not possible to construe from the letter of appointment that the appointment is for a fixed period. The order of appointment does not show that it is for a specific or a fixed or a definite period. The petitioner was appointed as a laboratory attendant and it cannot also be assumed that the work for which she was appointed also came to an end on the termination of the services of the petitioner. There is also no evidence to show that the post itself has been abolished. There is no express stipulation in the contract of employment about the termination of the petitioner, and hence the exclusionary clause (bb) of Sec. 2(oo) does not apply to the facts of the case. If the exception clause does not apply the termination of the petitioner would amount to retrenchment within the meaning of Sec. 2(oo) of the Act. The petitioner as seen from the order of appointment has worked for more than 240 days before her services were terminated with effect from December 31, 1985, it is a clear case of violation of Sec. 25F of the Industrial Disputes Act and the Order of termination has to be declared as void and the petitioner is also entitled to back wages."

9. The only other contentions of the respondent is that the respondent is not an industry as defined in the Act and the petitioner can seek his remedy only before the Central Administrative Tribunal and not before the Labour Court. The word 'industry' has been defined in 2j of the I.D. Act, 1947 as follows :

"Industry" means any business, trade, undertaking, manufacture or calling of employers and included any calling service, employment, handicraft, or industrial occupation or avocation of workmen";

The law is well settled that the Research Institute, Co-operative societies a Chamber of Commerce, Indian Standard Institutions, Coffee Board Octroi Dept. of a Municipality, Panchayat Samiti, Text book Board, are all Industries. In the definition itself, when the earlier part of the definition defines an industry from the stand point of the employer, the later part of the definition defines the industry from the stand point of the employees. The word 'service' in the second part of very wide import. The word 'employment' brings in the contract of service between the employer and the employee. The phrase 'occupation or avocation' is qualified by the word industrial which indicates that the 'occupation or avocation' in which the workmen are employed should be of industrial character. As far as the petitioner is concerned, admittedly he is a casual labourer. Any dispute with regard to the Staff and Officers may have to be dealt with by the Central Administrative Tribunal. The respondent has stated that a similar matter was decided by the Central Administrative Tribunal. The respondent has categorically omitted whether it is a dispute raised by a worker or by a staff or an officer. The respondent has also failed to produce any such proceedings of the Central Administrative Tribunal. Therefore, the contention of the respondent that the petitioner cannot seek his remedy under the I.D. Act and therefore this Tribunal will have no jurisdiction is not sustainable.

It is held by the Hon'ble High Court of Madras, and the Hon'ble Apex Court the retrenchment of the petitioner without adhering the procedures contemplated u/s 25F of the I.D. Act is invalid and therefore the petitioner is entitled for reinstatement in service with backwages and other attendant benefits. Award passed. No costs.

Dated, this the 13th day of August, 1999

S. ASHOK KUMAR, Industrial Tribunal.
WITNESSES EXAMINED

For both side : None.

DOCUMENTS MARKED

For Workman :

- Ex. W1 18-11-92 Letter sent by the Superintending Archaeologist to the Petitioner's Counsel.
- Ex. W2 1-2-93 Petitioner letter to the Respondent with Ack. Card.
- Ex. W3 8-2-93 Letter from the Labour Officer.
- Ex. W4 24-3-93 Comments on the representation of the petitioner by Regional Labour Commissioner.
- Ex. W5 15-5-93 Letter of the petitioner to the Asst. Labour Commissioner.
- Ex. W6 21-6-93 Failure of Conciliation Report.
- Ex. W7 Petitioner's letter to the Secretary to Govt. of India.
- Ex. W8 Letter of the petitioner to the Labour Inspector (Central).
- Ex. W9 Acknowledgement.
- Ex. W10 Govt. of India letter by Administrative Officer for Director General.
- Ex. W11 28-11-91 Offer of Appointment, Govt. of India.
- Ex. W12 Same as W10.

For Management :

- Ex. M1 Statement showing number of days worked by the petitioner on daily wages (year wise).
- Ex. M2 15-6-87 Copy of letter from the Director General, Archaeological Survey of India, New Delhi, with enclosure from the Dept. of Personnel and Administrative Reforms, Ministry of Home Affairs Govt. of India, New Delhi.

Ex. M3 8-4-91 Copy of letter from the Ministry of Personnel, Public Grievances & Pension, Dept. of Personnel & Training, Govt. of India, New Delhi.

नई दिल्ली, 22 नवम्बर, 1999

का. आ. 3616.—श्रीदीगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में केन्द्रीय सरकार टेलीकम्यूनिकेशन डिपार्टमेंट रिप. दि. डी.ई.टी., स.टी. एस. डी. (पी.बी.) भोहासी के प्रबन्धलंब के संबंध नियोजकों और उनके कर्मकारों के शीव, ग्रन्तवन्ध में निविष्ट श्रीदीगिक विवाद में केन्द्रीय सरकार प्रौद्योगिक अधिकारण, चम्पामढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-11-99 को प्राप्त हुआ था।

[स. एल.-40012/130/96-प्राइ. आर. (डी.प.)]
कुलदीप राय कर्मा, डैस्ट्रिक्ट प्रौद्योगिकारा

New Delhi, the 22nd November, 1999

S.O. 3616.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Chandigarh, as shown in the Annexure in the industrial dispute between the employers in relation to the management of Telecommunication Department rep. through the DET, CTSD (Pb.) Mohali and their workman, which was received by the Central Government on 22-11-99.

[No. L-40012/130/96-IR(DU)]
KULDIP RAI VERMA, Dist. Officer

ANNEXURE

BEFORE SHRI R. L. JATAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CUM LABOUR COURT, CHANDIGARH

Case. No. I.D. 71/98-

Sh. Suwan Singh,
C/o BMS, 6001, Sector 41-B,
Chandigarh. Petitioner

Versus

General Manager,
Thr. DTE(Stores)
Punjab Circle,
Telecom Group: Deptt.,
Plot No. 31-A, Industrial Area
Phase-8,
Mohali.

Respondent

REPRESENTATIVES

For the workman : None.

For the management : None.

AWARD

(Passed on 4-6-99)

The Central Government Ministry of Labour vide Notification No. L-40012/130/96-IR(DU) dated 10-3-98 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Telecommunication Deptt. rep. through the DET, CTSD (Pb.) Mohali in terminating the services of Shri Suwan Singh a daily rated workman (Mali) w.e.f. 15-11-95 is legal and justified? If not to what relief the workman is entitled to?"

2. Today the case was fixed for filing of claim statement by the workman. Despite several notices, none has put up

appearance. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the Appropriate Govt. for want of prosecution.

Chandigarh :

4-6-1999.

B. L. JATAV, Presiding Officer

नई दिल्ली, 25 नवम्बर, 1999

का.आ. 3617.—श्रीदीगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टेलीकोम डिस्ट्रिक्ट मेहसाना के प्रबन्धसंच के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट श्रीदीगिक विवाद में श्रीदीगिक अधिकरण, अमृतदारों के पंचायत ने प्रकाशित करती है, जो केन्द्रीय सरकार को 25-11-99 को प्राप्त हुआ था।

[सं. एल.-40012/114/95-प्राई. ग्रार. (डी.यू.)]
कुलदीप राय वर्मा, ईस्क अधिकारी

New Delhi, the 25th November, 1999

S.O. 3617.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Ahmedabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Telecom District, Mehsana and their workmen, which was received by the Central Government on 25-11-1999.

[No. L-40012/114/95-IR(DU)]
KULDIP RAI VERMA, Desk Officer

ANNEXURE

BEFORE SMT. N. J. SHELAT, PRESIDING OFFICER,
INDUSTRIAL TRIBUNAL CENTRAL,
AHMEDABAD

Reference (ITC) No. 20 of 1996

ADJUDICATION :

BETWEEN

Telecom District,
Mehsana.

....First Party

AND

The Workmen employed under it.Second Party

In the matter of termination of Shri Kamlesh M. Parmar.

APPEARANCES :

None for the Second party

AWARD

By an Order No. L-40012/114/95-RC(DU) dtd. 30-5-96, the Desk Officer, Government of India, Ministry of Labour, New Delhi has referred an industrial dispute as per the Schedule of above order between the above parties for adjudication u/s. 10(1) of the Industrial Disputes Act, 1947 to this Tribunal.

As the second party was not remaining present before this Tribunal, the matter was being adjourned from time to time in order to afford an opportunity to them to proceed with the matter. It is the duty of the second party to proceed with the matter to prove their case but they have failed to do so and, therefore, in order to provide a last opportunity,

the matter was fixed for hearing on 20-10-99, but on this day also when called out, neither the concerned workman nor his Representative remained present. From his, it is quite clear that the second party is not interested to proceed with the matter. Under the facts and circumstances of the case, this Tribunal has been left wth no other alternative but to dismiss the present reference. In this view of the matter, I pass following order :—

ORDER

The reference is dismissed for non-prosecution and it is disposed of accordingly with no order as to costs.

Sd/-

Secretary

Ahmedabad, 30th October, 1999.

N. J. SHELAT, Presiding Officer

नई दिल्ली, 25 नवम्बर, 1999

का.आ. 3618.—श्रीदीगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार फरक्का बराज प्रोजेक्ट के प्रबन्धसंच के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट श्रीदीगिक विवाद में श्रीदीगिक अधिकरण, कलकत्ता के पंचायत को प्रकाशित करती है, जो केन्द्रीय सरकार द्वारा 25-11-99 को प्राप्त हुआ था।

[सं. एल.-42011/26/99-प्राई. ग्रार. (डी.यू.)]
कुलदीप राय वर्मा, ईस्क अधिकारी

New Delhi, the 25th November, 1999

S.O. 3618.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Farakka Barrage Project and their workmen, which was received by the Central Government on 25-11-99.

[No. L-42011/26/99-IR(DU)]
KULDIP RAI VERMA, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT CALCUTTA

Reference No. 6 of 1998

PARTIES:

Employers in relation to the management of Farakka Barrage Project.

AND

Their workmen.

PRESENT :

Mr. Justice A. K. Chakravarty, Presiding Officer.

APPEARANCE :

On behalf of Management : Mr. Tapas Chowdhury,
Advocate.

On behalf of Workmen : Mr. Madhusudan Dutta,
Advocate.

STATE : West Bengal

INDUSTRY : Farakka Barrage

AWARD

By Order No. L-42011/26/97-IR(DU) dated 4-2-98 the Central Government in exercise of its powers under section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Farakka Barrage Project is not regularising 540 Muster Roll Workers and thus denying them from equal pay for equal work and other facilities, which regular workmen are enjoying is justified? If not to what relief the workmen are entitled?"

2. Farakka Barrage Project Muster Roll Workmen & Employees Association (in short the Association) has raised this industrial dispute praying for regularisation of the services of 540 Muster Roll Workers for which it claims that the concerned workmen have been denied equal pay for equal work and other facilities available to the regular workmen.

3. In the written statement filed by the Association it is alleged that the Farakka Barrage Project is a Project under the Ministry of Water Resources to look after the maintenance of the Farakka Barrage situated at Farakka in the district of Murshidabad, West Bengal and the muster roll workmen of the barrage are members of the sponsoring association. The management of the project employed large number of workmen in different categories as its muster roll workmen including the concerned workman in 1976. The names of the concerned workmen are appended to the written statement. Since these workmen are doing perennial nature of job for the last 20 years continuously, the project authorities brought the concerned workmen under the Casual Labourers (grant of temporary status of regularisation) Scheme of Government of India with effect from 1-9-93 in the scale of pay of Rs. 750—940 which was revised from time to time. The Association alleges that though the management granted the concerned workmen the aforesaid pay scale, it still kept them in the muster roll/temporary roll without making them permanent, thereby denying them other benefits admissible in law like, medical, insurance, provident fund, gratuity, pension, compensatory allowance, liveries etc. which are enjoyed by the regular workmen. It is also alleged that during the last few years number of muster roll workmen died in harness but the project authorities neither gave them any retiral benefits nor gave employment to their dependents. The Association made several representations to the management, but the latter having not taken any step in the matter, it raised the industrial dispute which culminated in the present reference. The Association has accordingly prayed that the concerned workmen be regularised in their services from the respective dates of their appointment and they also be granted all benefits as they will be entitled in accordance with law.

4. The management of the Farakka Barrage Project (in short the Project) filed a written statement, alleging, inter-alia, that the Farakka Barrage Project functions for the overall benefit of the country and it is funded exclusively by the Government of India. The main aim and ideal of the Project is sharing of Ganga water between India and Bangladesh. Its other functions are protection of Calcutta Port by regulating required flow of water as well as to provide corridor of railway and road linking between north-eastern States of India with the rest of the country. The project is not designed for earning any profit. Since various operations undertaken by the Project in different fields are made solely in the national interest, the Project is discharging exclusive sovereign function of the state and accordingly cannot be adjudged as an 'industry' within the meaning of the Industrial Disputes Act, 1947. The management further alleges that it has absorbed more or less 1200 muster roll employees in vacancies arising from time to time and such regularisation was made after due compliance of recruitment procedure. It is also alleged that regularisation in regular cadre in Group-D and Group-C posts are made only against existing vacancies. The management has alleged that it has absorbed one of the concerned workmen in a vacant post in December, 1998. Management further alleges that it issues circulars for open selection test. Issuance of such circulars always pre-supposes existence and availability of vacancies in the respective posts. The casual mazdoor working under the muster roll in terms

of the said circular for open selection have to qualify in the test held for that purpose and only the successful candidates are absorbed/regularised in the regular or work-charge cadre of the Project. The management thus alleges that no regularisation in the regular cadre of Group-D and Group-C is possible in the absence of posts. It is also alleged that the concerned workmen at the time of their initial engagement had to go through no recruitment process and they having been engaged for the necessity of work, no question of their who-some regularisation can arise. It is also alleged that the Government of India framed a scheme for grant of temporary status and regularisation of casual workers, namely, Casual Labourers (grant of temporary status and regularisation) Scheme of Government of India in 1993. The muster roll workmen were granted temporary status as per this scheme and they are getting all the benefits contained in the said scheme since the introduction of the said scheme. The scheme provides for regularisation against existing vacancies and it is further alleged that since the concerned workmen are enjoying benefits arising out of the said scheme, they cannot claim regularisation apart from the procedure laid down therein. The management has further alleged that the evaluation process or need of man power as well as the engagement of work force are devolved on the high power committee formed in 1992 by the Government order. It is reconstituted from time to time. For creation of post recommendation of the high power committee and approval of the Central Government in the matter are essential. The management accordingly alleges that the regularisation could not be undertaken as the posts were neither in existence, nor any new post was created by the Central Government. Management has further alleged that recruitment of Groups B, C and D posts have been banned in terms of the circular issued by the Central Government. The management has denied that the concerned workmen are not getting equal pay at par with the regular employees of the Project and alleges that the emoluments of both of these types of employees are same. The management also alleges that since the casual mazdoors are getting benefits of annual increment at par with the regular Group-D employees, leave at the rate of one day for 10 days of work, maternity leave for every casual labour, General Provident Fund, productivity linked bonus, project allowance, dearness allowance, gratuity, there is no pecuniary loss of the casual workmen by lying thereby the case of the Association for equal pay for equal work. The management denies that the casual labourers have any legal status for enjoying any retiral benefit. Management also denies that the concerned workmen are entitled to any other benefit, excepting what is provided by the Central Government in the Scheme of 1993 and alleges that no deviation from the terms of the said scheme can be made. The management accordingly prayed for dismissal of the case of the association.

5. The written statement of the management is followed by a rejoinder by the Association wherein all the allegations made by the management in its written statement have been denied. It is alleged that the concerned workmen were engaged against regular vacancies upon following the existing rules of appointment and they having been made to work continuously for years together in perennial nature of jobs and the management having still engaged them on temporary basis without regularising their services is guilty, of commission of unfair labour practice as contained in the Fifth Schedule of the Industrial Disputes Act, 1947. The Association also alleges that the concerned workmen having been given temporary status following all recruitment rules in vacant posts, the circular containing ban on recruitment is not applicable to them as it is confined to fresh recruitment. The concerned workmen being already in service of the Government of India, no question of getting any permission of the Union Government for the purpose of their regularisation can arise. The Association clarified loss of following benefits due to non-regularisation in their services, namely, Group Insurance, Medical Reimbursement, Casual Leave, Gazetted Holidays, Half Pay Leave, Leave Encashment, Leaves on Medical Ground, Liveries Washing Allowance, Leave Travel Concession, Daily Allowance and Pension. The Association denied that the Project authority is discharging any sovereign function on the Farakka Barrage Project is not an 'industry'. Rest of the allegations are merely reiteration of what is stated in its own written statement.

6. Both sides have produced documents and examined one witness on each side in support of their respective cases.

7. Heard Mr. Madhusudan Dutta, learned Advocate appearing for the Association and Mr. Tapas Chowdhury, learned Advocate appearing for the management.

8. Mr. Chowdhury, learned Advocate for the management challenged the reference as not maintainable at the outset on the ground that the Farakka Barrage Project is not an 'industry' within the meaning of Section 2(j) of the Industrial Disputes Act, 1947 in as much as it is exercising sovereign function of the State. The main reason for such submission is that the Project is engaged in the sovereign work of distribution of Ganga Water between India and Bangladesh, two sovereign States.

9. It shall accordingly be necessary to consider the functions and activities of the Farakka Barrage Project. From the evidence of WW-1, Prabanta Chakraborty who is the Assistant General Secretary of the Association it will appear that the Farakka Barrage construction work started in 1964 and it started operating since 1976 for effecting multi-purpose activities, like, diversion of the main water of the Ganga to the feeder canal of Bhagirathi, to improve the navigability of the Calcutta Port and to extend irrigation facilities to the adjoining areas and linking North and South Bengal and also for inland water transport. He also admitted about the existence of a treaty between India and Bangladesh for sharing of water of the river Ganges. MW-1, Harendra Kumar Bandopadhyay, Superintendent Engineering of the Project and also discharging other duties stated that the Farakka Barrage is an integral part of the treaty between India and Bangladesh for sharing of the Ganges water. He also admitted that the Project runs a market and it collects licence fees from the casual vendors and monthly vendors. He also admitted that the contractors hire its barges, road rollers, launches, pontoon etc. for doing the works of the project and residential accommodation to individuals and/or organisations are let out and the Project also realises rent from the occupants of its guest house and its ambulance is also let out. It is true that one of the functions of the Project is to distribute water of the river Ganges between India and Bangladesh in accordance with the treaty, but apart from that it has to discharge other functions also. In this connection reference may be made to Ext. M-8 which deal with the purpose of the Project. It will appear from this note that improvement of the Calcutta Port is one of the important objective of the Project. It should also be remembered that the treaty between India and Bangladesh has taken place only few years back. The Farakka Barrage Project having its existence from 1964 there was no obligation to work under any treaty.

10. It is in the above context of the functions and duties performed by the Farakka Barrage Project the question of whether it is discharging sovereign function of the State has got to be considered. Mr. Chowdhury submitted on behalf of the management that the Project being responsible for giving effect to a treaty between two sovereign States it is exercising sovereign function of the State. The word sovereign or sovereign function has not been used in the Industrial Disputes Act, 1947 itself. As a matter of fact the prevailing definition of industry under Section 2(j) of the said Act states that any business, trade, undertaking, manufacture or calling of employers and includes any calling, service, employment, handicraft, or industrial occupation or avocation of workmen shall be industry. The amended definition of industry as per amending Act of 1982 has not been made effective as yet. It is only by subsequent judicial pronouncement that sovereign activities of the State were excluded from the ambit of industry. The most important case on this point is Bangalore Water Supply and Sewerage Board Etc. v. A. Rajappa and Ors. reported in 1978(I) I.L.J. 349 where a Special Bench of the Seven Judges of the Hon'ble Supreme Court fixed the law relating to the relevant consideration in deciding whether any particular institution is an industry or not. Though the sovereign functions of the State were excluded from the definition of Industry, still then, it clearly stated there that that alone shall not qualify for exemption,

nor the welfare activities and economic adventures undertaken by the Government or statutory bodies. It is also stated that even in department discharging sovereign functions, if there are units which are industries and they substantially severable, they can be considered to come within the Section 2(j).

11. Mr. Chowdhury referred to the case of Synthetics and Chemicals Ltd. and Ors. v. State of U.P. and Ors., reported in (1990) 1 Supreme Court Cases 109 where the question was whether the levy on industrial alcohol by the states was justifiable or not. He drew my attention to the head-notes of that decision where it is stated that sovereignty is difficult to define. It is the exercise of sovereign power which gives the states sufficient authority to enact any law, subject to the limitation of the Constitution to discharge its function. Indian State, between Centre and the States, has sovereign power. Sovereign power is plenary and inherent in every sovereign State to do all things which promote health, peace, morals, education and good order of the people. Mr. Chowdhury also referred to another decision of the Hon'ble Supreme Court, namely, Video Electronics Pvt. Ltd. v. State of Punjab, reported in (1990) 3 Supreme Court Cases 87 and that case relates to the power of the State to grant exemption from the Sales Tax. Frankly speaking, this case did not consider the question of sovereignty as stated by Mr. Chowdhury. In so far as the case of Synthetics and Chemicals Ltd. referred to above, he wanted to suggest that the activities of the State concerning health, peace, morals, education and good order of the people shall be the sovereign activity of the State. Since the activities of the welfare State is concerned with beneficial activities for the citizens, all sovereign States are expected to do the same. This case cannot be cited in support of the contention that doing of activities by institutions rendering public good shall be in exercise of the power of sovereign State, particularly in an industrial dispute where the law in the matter has already been settled as referred to above. Similar question came up for consideration before their Lordships of the Hon'ble Supreme Court in the case of Management of Dandakaranya Project, Koreput v. Workmen, reported in 1997 Lab. I.C. 858 where upon consideration of the decisions of the Bangalore Water Supply and Sewerage Board's case (*supra*) and also upon consideration of the nature of the activities as well as the nature of the duties of the project it was held that Dandakaranya Project was not the sovereign function of the Government. Mr. Dutta, learned Advocate for the Association also drew my attention to the Single Bench decision of the Hon'ble Andhra Pradesh High Court in the case of R. Sreenivasa Rao v. Labour Court, Hyderabad and Anr., reported in 1990 (II) I.L.J. 577 where his Lordship considered all the relevant cases including the Bangalore Water Supply and Sewerage Board's case and held that Sovereign functions are to be restricted to administration of justice, maintenance of order and prevention of crime or otherwise legislative powers, administration of the laws and exercise of the judicial power.

12. It is therefore clear that all the activities of the Government or Corporation rendering public good are not necessarily in discharge of the sovereign function of the State. Sovereign function of the State is invariably linked with the inalienable function of the State, namely, exercise of legislative power, administration of justice and maintenance of law and order. The Project itself is only implementing authority of the treaty executed between the two sovereign States and that is evident as it is not even a party to the treaty. It is only the authorities which executed the treaty can be said to be exercising sovereign function. Implementing authority cannot be said to be exercising any such sovereign function as it is merely carrying out the directions of the sovereign authority. Further, as shown above by me, the implementation of the treaty forms only one part of the work of the Project and that too is restricted to the period of time set-out in such treaty. The Farakka Barrage Project admittedly was existing before the treaty was concluded between the two countries. Further, as per Bangalore Water Supply and Sewerage Board's case there being other units which are industries and they are substantially severable in the Farakka Barrage Project, such functions cannot be in discharge of the sovereign function of the State. So, upon consideration of the functions and activities of the Farakka

Barrage Project, I am firmly of the opinion that the activities of the Project are well within the definition of 'industry' under Section 2(j) of the Industrial Disputes Act, 1947. Management's contention that the reference is not maintainable accordingly has no leg to stand upon.

13. Coming to the merits of the case it appears that the main grievance of the Association in this case is that though the concerned workmen are working for more than 20 years in the Project, mostly as Group-D employees, excepting one or two of them who are working as Group-C employees, as Muster Roll Workmen, in jobs which are perennial in nature and though their services are indispensable, still the management has not regularised their services, even though it has granted regular grade and scale of pay in 1987 as admissible to the regular employees. Management's case, in this matter is that the concerned workmen having been appointed as casual workmen and they having accepted Casual Labourers (Grant of Temporary Status and Regularisation) Scheme of Government of India with effect from 1-9-1993 that they will be regularised in their services in due course in terms of the said scheme. Management also has taken the plea that no question of regularisation of these workmen can arise as there is neither any vacancy, nor the workmen have gone through any recruitment test.

14. Regarding the appointment of the concerned workman it appears from the evidence of MW-1, Mr. Bandopadhyay that the concerned workmen were engaged in 1977, 1978 and in 1980. Their number at present is 492 only because of the retirement and death of some of the such workmen. Regarding the status of these workmen at the time of their appointment, at one place of his evidence he stated that they are all Muster Roll employees and on the next breath he stated that they were engaged as daily-rated casual workmen. He also stated that the casual labourers and muster roll labourers stand on the same footing.

15. Mr. Dutta, learned Advocate for the Association strongly denied the claim of the management that the casual labourers and muster roll labourers stand on the same footing. According to him casual labourers are appointed only for a short time out of necessity and accordingly by the nature of such job, it may be seasonal or time-bound in nature, while in the case of the muster roll workmen, their names are entered in the muster roll for the purpose of doing jobs of perennial nature.

16. MW-1 in his evidence further stated that the Project authority never appointed anyone as casual labourer since casual labourers are considered as muster roll workmen. From his evidence it will appear that their nature of appointment was on daily wage basis and for seasonal work. He further stated that the muster roll is maintained by the management for the purpose of recording attendance and payment to the casual labourers/muster roll workmen and they are paid on daily-rate basis or on monthly rate basis which is fixed on the basis of daily-rate. He also stated that no recruitment rule was there for engagement of the casual labourers/muster roll workers.

17. Management's case that the casual labourers and muster roll workmen stand on the same footing does not seem to me as correct. Casual labourers, as the term indicates is appointed for doing some stop-gap work or for any particular need and such engagement cannot go on for indefinite period of time as their continuance for indefinite period may amount to unfair labour practice as per Item No. 10 of the Fifth Schedule of the Industrial Disputes Act, 1947. In the case of Mahindra Singh v Trade Fair Authority of India and Ors., reported in 1993 (I) LLJ 876 it was held by the Hon'ble Delhi High Court that it is not right to contend that a muster roll employee is a casual employee and a muster roll employee by force of the words itself is a person who is on the rolls of an establishment as a workman. Management has frankly admitted that there was no recruitment rules for appointment of muster roll workmen. The Association has produced at least one letter, Ext. W-9 from which it will appear that the Employment Exchange forwarded the name of one Mustafa Sk. for appointment as Mazdoor, Ext. W-10 shows that he was selected for the post of Khalesi.

Grade-III on muster roll basis. There is also another letter, marked Ext. W-11 from which it will appear that one Saibai Sk. was appointed on muster roll basis. It is, therefore, clear that the appointing authority selected the concerned workmen for appointment as muster roll workmen after their names were sponsored by the Employment Exchange. It is inconceivable that the casual labour is to go through the same process before their engagement. It is also inconceivable that any service sheet is opened for casual labourers which admittedly took place for the concerned workmen. Management, therefore, is not right in its submission that casual labourers and muster roll workmen stand on the same footing. It is also to be remembered that it is an admitted fact that the job performed by these concerned workmen are indispensable and perennial in nature. WW-1 in his evidence has stated that MW-1 has also echoed the same statement in his evidence by saying that the work of the project would be seriously impaired if the services of the concerned workmen are dispensed with. The perennial nature of the work performed by the concerned workmen is also easily deducable from such statement. In this connection, reference may be made to Ext. W-2 which is a letter of the General Manager of the Farakka Barrage Project to the Secretary to the Government of India, where it is stated "The Muster Roll workers of the F.B. Project have been deployed in the vital works pertaining to the structures and other ancillary works of this Project. Such works are perennial in nature and the services of the workers under Muster Roll establishment are essential to run the project smoothly." Ext. W-1, another letter of the General Manager to the Under Secretary, also confirms the above fact.

18. It has therefore been proved that the concerned workmen are working for 20 years or more after their appointment as muster roll workmen from 1978 to 1980, in perennial nature of jobs where their services are indispensable.

19. MW-1 admitted that the service sheets of these workmen were opened as far back as in 1982 and fresh service books in their names were opened with effect from 1993. That is not all, the management even went to grant them separate grade and scale of pay at par with the regular employees from 1987. WW-1, Prasanta Chakraborty in his evidence categorically stated that "down from 1987 the concerned workmen have been allowed grade and pay of the posts in the same manner as granted to the regular employees. Temporary status was formally given to the concerned workmen from 1-1-1993." He elaborated the above statement in his cross-examination where he stated that "we have obtained increment not on the basis of the revised pay scale, but on the basis of the pay scale fixed in 1987 as muster roll workmen which was subsequently revised by the Fifth Central Pay Commission." This position was neither challenged in his cross-examination, nor MW-1 denied in his evidence that in 1987 they obtained their pay scale.

20. It is true that WW-1 in his evidence stated that the pay scale was obtained by the concerned workmen in 1987 as muster roll workmen. I have already referred to the evidence of MW-1, Harendra Kumar Bandopadhyay, where he stated innumerable times that muster roll workmen have their daily rates of pay and if they are paid on monthly basis such amount is calculated on daily rate basis. The concerned workmen thus having been granted separate grade and scale of pay in 1987, there cannot be any question of any payment to them at the rate calculated on daily-rate basis. Muster Roll employees or casual workers getting separate grade and scale of pay being thus contradiction in terms there is no escape from the conclusion that upon grant of separate grade and scale of pay in 1987, the concerned workmen ceased to be muster roll employees and became regular employees of the management.

21. Mr. Dutta, learned Advocate for the Association drew my attention to the case of Shih Shankar Chakraborty v. State of West Bengal, reported in 1994 Lab. I.C. 1357 where a Division Bench of the Hon'ble Calcutta High Court in a case where the petitioner in that case were working as whole-time contingent staff in regular establishment of the Government for more than 13 years, were directed to be absorbed on permanent basis. While passing that order the Court also considered the plea of non-availability of fund of the respondent State of West Bengal and rejected such

contention because they had already been granted pay scale, like the present case. As a matter of fact, paucity of fund has not been pleaded even by MW-1 in his evidence where he candidly admitted that if the muster roll employees are made regular employees, the financial implication of the same will be very little. The facts of the present case being similar to the case referred to above, the ratio of that decision shall be applicable in the present case. The right of the concerned workmen for regularisation being vindicated by the ratio of that decision, the management cannot take recourse to any irrelevant plea as taken by them in this case to thwart the claim of the concerned workmen.

22. One of the main objections of the management against the claim of the Association is that the recruitment rules were not followed at the time of the engagement of the concerned workmen. That this objection is absolutely frivolous in nature will be clearly apparent because, as pointed out by me above, MW-1 candidly admitted in his evidence that there was no recruitment rules for engagement of muster roll employees. The decision in the case of State of Himachal Pradesh v. Suresh Kumar Verma & Ors., reported in JT 1996(2) S.C. 455, therefore, clearly has no application as there was no rules of recruitment for muster roll workmen. The other objection of the management is that there was no vacancy for regularisation of the concerned workmen in service. I have already referred to Ext. W-2 where the General Manager of the Project wrote to the Secretary to the Government of India for conversion of the posts under muster roll establishment to that of work charged establishment. The reply to that letter is dated 12 February, 1990 written by the Under Secretary of the Government of India to the General Manager of the Project, vide Ext. W-3, from where it will appear that the Government directed for regularisation of the muster roll workmen of the Project in the available vacancies of the work charged establishment. There is no evidence in this case about whether there was any vacancy in the work charged establishment. If there was any such vacancy why none of these concerned workmen were regularised against such vacancies. It was for the management to show by proper evidence whether or not there was any vacancy in February, 1990 in the work charged establishment and suppression of any evidence in this matter shall give rise to the inference that had necessary documents in respect of the vacancies in the work charged establishment been produced, they would not have supported the case of the management that no such vacancy existed for the regularisation of the concerned workmen.

23. I am also to state in this connection that the management which had all along been harping in its old tune that the concerned workmen were merely causal labourers, even assuming the same to be true, can have no business to resist regularisation of the concerned workmen in terms of O.M. No. 49014/18/84 Estt.(C) dated 7th May, 1985 of the Ministry of Personnel & Training (which is kept with the record) where it is categorically stated that casual workers recruited before the issue of that instruction may be considered for regular appointment in Group D posts in terms of general instruction even if they were recruited otherwise than through Employment Exchange, provided they are eligible for regular appointment in all other respects. The right of regularisation having been given to all pre 1985 casual workers leaving aside the concerned workmen who had been appointed through Employment Exchange, the management was bound to act upon this circular and regularise their services assuming once again that the muster roll workmen stand on the same footing as causal workmen. In any case, the management cannot take the plea that there was no vacancy for their regularisation. Even assuming that there was no vacancy for their regularisation, the management shall have to regularise them as regular employees in the facts and circumstances of the case as stated above by me as regularisation though made in fact by grant of grade scale and pay in 1987, was not made formally.

24. The last objection of the management against the claim of regularisation of the Association is that the concerned workmen having accepted their status as causal workmen by acceptance of Casual Labourers (Grant of Temporary

Status and Regularisation) Scheme, Ext. M-3 and having received all benefits under the said scheme, cannot claim regularisation and such regularisation, if at all, is to be made in accordance with the procedure laid down in the scheme itself. Paragraph 3 of the scheme shows that it is applicable to casual labourers in employment of the Ministries/Departments of Government of India and their attached and subordinate offices on the date of the issue of the scheme on 1-9-1993. I have already shown that the concerned workmen were never engaged as casual workers and they being appointed as muster roll workers, the scheme, on the face of it, is not applicable to the concerned workmen. I have also stated that the management having granted them grade and scale of pay at par with the regular workmen, it had virtually regularised their services from that date without formally giving them regular status. It should also be noted in this connection that in labour jurisprudence there is hardly any scope for waiver and acquiescence. In the case of Aviquipo of India Ltd. v. State of West Bengal & Ors., reported in 1993(II) CHN 226 it was held by the Hon'ble Calcutta High Court that to ensure social justice in a fight between two unequal, the Court should not construe the taking of benefit by the workman under any order as waiver of his claims.

25. Mr. Chowdhury, learned Advocate for the management also referred to the case of State of Haryana v. Piara Singh, reported in AIR 1992 SC 2130 and also to the case of Samarendra Bhattacharya & Ors. v. Senior Deputy Manager, Personal Service, Indian Airlines, Eastern Region & Ors., reported in 1998 (II) CHN 521 in support of his contention that wholesome regularisation in services is not permissible under the law. It is true that in the Piara Singh's case the Hon'ble Supreme Court directed framing of the scheme for regularisation in services, without, however, holding the wholesome regularisation is bad in all cases. The same is also true in respect of the Indian Airlines case. In a given case of the present nature where the services of the concerned workmen were regularised, excepting in name, as far back as in 1987, it will be against all principles of social justice and fair play to delay such regularisation for any irrelevant reason. The concerned workmen having obtained their right of regularisation in their services on receipt of regular grade and scale of pay at par with the regular workmen, all other benefits which are available to such regular workmen cannot be denied to them under any pretext as the concerned workmen must be deemed to have been regularised in their services from the date of their receipt of grade and scale of pay in 1987.

26. It appears from the order of reference that an issue regarding equal pay for equal work was raised for consideration by this Tribunal. That issue having not been pressed in as much as the concerned workmen are admittedly in receipt of grade and scale of pay of the regular workmen since 1987 that no decision in this matter is called for.

27. So, upon careful consideration of the facts, circumstances, evidence adduced by the parties, along with the position of law in this matter, I am to hold that the management of the Farakka Barrage Project was absolutely unjustified in not regularising 540 Muster Roll Workers and denying them the other benefits at par with the regular workmen. The management is accordingly directed to regularise the services of the concerned workmen with effect from the date of granting them the grade and scale of pay in 1987. Management is further directed to grant them all benefits available to the regular workmen working in the same post in its establishment from the aforesaid date of their regularisation in service. As out of the 540 concerned workmen, some have retired from services and some have died, all benefits arising out of such regularisation from 1987 shall be available to them or to their successors as the case may be.

This is my Award.

Dated, Calcutta,
The 15th November, 1999.

A. K. CHAKRAVARTY, Presiding Officer

नई दिल्ली, 22 नवम्बर, 1999

का. प्रा. 3619.—ग्रोवोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार रेल कॉन्सोर्टियम पूर्थना, पंजाब के प्रबन्ध तंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट ग्रोवोगिक विवाद में केन्द्रीय सरकार ग्रोवोगिक अधिकरण, चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-11-1999 को प्राप्त हुआ था।

[सं. एल.-41011/7/97-आई. आर. (बी.-I)]

जी. राय, डैस्क अधिकारी

New Delhi, the 22nd November, 1999

S.O. 3619.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Rail Coach Factory, Kapurthala, Punjab and their workman, which was received by the Central Government on 22-11-1999.

[No. L-41011/7/97 IR(B-I)]

G. ROY, Desk Officer

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CUM LABOUR, COURT CHANDIGARH

Case No. 72/98

J. C. Bhatt (General Secretary)

R. C. F. Karamchari Sangh

Kapurthala, PUNJAB

Petitioner

Vs.

The General Manager
Rail Coach Factory,
Kapurthala, PUNJAB.

Respondent

REPRESENTATIVES

For the Workman None

For the management Sh. N. K. Zakhmi

AWARD

(Passed on 4-6-99)

The Central Govt. Ministry of Labour vide Notification No L-41011/7/97-IR(B-I) dated 17th March 1998 has referred the following dispute to this Tribunal for adjudication :

“Whether the action on the part of management of Rail Coach Factory, Kapurthala in dismissing their workmen Shri J. C. Bhatt and Shri Niranjan Mishra, is just and legal? If not, to what relief these workmen are entitled to?”

2. Today the case was fixed for filing of claim statement by the workman. Despite notice, none appeared on behalf of the workman. It appears that workman is not interested to pursue with the present reference. In view of the above,

the present reference is returned to the Appropriate Govt. for want of prosecution.

Chandigarh.

4-6-99.

B. L. JATAV, Presiding Officer

नई दिल्ली, 26 नवम्बर, 1999

का. प्रा. 3620.—ग्रोवोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार वेस्टर्न रेलवे, राजकोट, के प्रबन्ध तंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट ग्रोवोगिक विवाद में ग्रोवोगिक अधिकरण, अहमदाबाद, के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-11-1999 को प्राप्त हुआ था।

[संख्या परा. 41011/01/98-आई. आर. (बी.-I)]

जी. राय, डैस्क अधिकारी

New Delhi, the 26th November, 1999

S.O. 3620.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Ahmedabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Western Railway, Rajkot and their workman, which was received by the Central Government on 25-11-1999.

[No. L-41011/01/98-IR(B-I)]

G. ROY, Desk Officer

ANNEXURE

BEFORE SMT. N. J. SHELAT, PRESIDING OFFICER,
INDUSTRIAL TRIBUNAL CENTRAL, AHMEDABAD

Reference (ITC) No. 103 of 1998

ADJUDICATION:

BETWEEN

Western Railway, Rajkot.

....First party

AND

The Workmen employed under it.Second party
in the matter of removal of Shri Babulal Badhaji, Cleaner
(TL), MG, Ahmedabad from service w.e.f. 12-11-94.

APPEARANCES:

None for the Second party.

AWARD

By an Order No. L-41011/1/98-IR(B-I) dated 13-11-98, the Desk Officer, Government of India, Ministry of Labour, Shram Shakti Bhawan, Rafi Marg, New Delhi-110001 has referred an industrial dispute as per the Schedule of above order between the above parties for adjudication u/s. 10(1) of the Industrial Disputes Act, 1947 to this Tribunal.

As the second party was not remaining present before this Tribunal, the matter was being adjourned from time to time in order to afford an opportunity to them to proceed with the matter. It is the duty of the second party to proceed with the matter to prove their case, but they have failed to do so and, therefore, in order to provide a fast opportunity,

the matter was fixed for hearing on 20-10-99, but on this day also when called out, neither the concerned workman nor his Representative remained present. From this, it is quite clear that the second party is not interested to proceed with the matter. Under the facts and circumstances of the case, this Tribunal has been left with no other alternative but to dismiss the present reference. In this view of the matter, I pass following order :—

ORDER

The reference is dismissed for non-prosecution and it is disposed of accordingly with no order as to costs.

Ahmedabad, 30th October, 1999.

N. L. SHELAT, Presiding Officer

नई दिल्ली, 26 नवम्बर, 1999

का.प्रा. 3621.—श्रौद्धोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया, मुम्बई के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुज्ञा में निर्विष्ट श्रौद्धोगिक विवाद में केन्द्रीय सरकार श्रौद्धोगिक अधिकारण, नं. II, के पंचाट को प्रदायित करती है, जो केन्द्रीय सरकार को 25-11-1999 को प्राप्त हुआ था।

[स. एल.-12012/227/95-आई. प्रार. (बी.-1)]
जी. रॉय, डेस्क अधिकारी

New Delhi, the 26th November, 1999

S.O. 3621.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. II, Mumbai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India, Bombay and their workman, which was received by the Central Government on 25-11-1999.

[No. L-12012/227/95-IR(B-I)]
G. ROY, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. II, MUMBAI

PRESENT :

Shri S. B. Panse, Presiding Officer.

Reference No. CGIT-2/6 of 1997

Employee in relation to the management of S.B.I.,
Bombay:

The General Manager,
S.B.I., Region-III,
Zonal Office,
Sayaji Gang, Baroda,
Gujarat.

AND

Their Workmen.
Shri G. L. Kalamkar,
C/o R. R. Palande,
B-17, Alka Ceasar Road,
Amboli, Andheri (W),
Bombay-58.

APPEARANCES :

For the Employer : Shri M. B. Anchan, Advocate.
For the Workmen : Shri M. S. Udeshi, Advocate

Mumbai, dated 1st November, 1999
AWARD—PART-II

On 10th July, 1998 by Part-I Judgment I came to the conclusion that the domestic inquiry which was held against the workman was as per the Principles of Natural Justice and the findings of the inquiry officer are not perverse. Now by this Award I have to answer remaining issues.

2. The issues and my findings there on are as follows :—

Issues	Findings
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4. Whether the action of the management of State Bank of India, Zonal Office, Baroda in dismissing the services of Kalamkar by its order dated 20-8-81 is justified or not ?	Justified.
--	------------

5. If not, what relief the workman is entitled to ?	does not survive.
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REASONS

3. In short, the case is that G. L. Kalamkar the workman who joined as a peon was suspended. He was charged that he committed a fraud in the bank. As stated above the domestic inquiry was conducted against him and the inquiry officer came to the conclusion that the charges are proved. The disciplinary authority then awarded the punishment of dismissal.

4. After Part-I Award was passed the workman filed an application (Exhibit-22) asking the management to produce the original documents. He also filed an application (Exhibit-23) in respect of the documents. The management filed its say at Exhibit-25. The management was directed to produce the original.

5. Thereafter the matter was adjourned for leading evidence by the workman in respect of issue Nos. 4 and 5. But, he did not file his affidavit by way of Examination-in-Chief. Thereafter the matter was adjourned for leading evidence on behalf of the management on the same issues. But the management filed a pursis (Exhibit-31) informing the court that they do not want to lead any oral evidence in the matter.

6. The workman filed written arguments at Exhibit-33, and the management filed written argument at Exhibit-37. I had gone through the arguments.

7. The charge which was levelled against the workman was of a fraud. It is held that the charge is proved. The bank is a financial institution. Public money is kept there. It is expected that the employees working there should do the work with honesty. There is no scope for the persons who dishonestly work there. The charges which were held proved against the workman are of serious nature. There is nothing to show that how in such a position lenient view can be taken in the matter. There is nothing in the argument of the workman to show that how in this particular situation the order of dismissal can be said to be incorrect. It can be seen from the argument much of the argument is advance in respect of the earlier issues. But now this Tribunal cannot consider the same. I, therefore, record my findings on the issues accordingly and pass the following order :—

ORDER

The action of the management of State Bank of India, Zonal Office, Baroda in dismissing the service of G. L. Kalamkar by order dtd. 20-8-81 is justified.

Dated : 1-11-99.

S. B. PANSE, Presiding Officer

नई दिल्ली, 29 नवम्बर, 1999

का. आ. 3622.—ओद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसारण में, केन्द्रीय सरकार सेन्ट्रल रेलवे, जबलपुर के प्रबन्धनतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट ओद्योगिक विवाद में केन्द्रीय सरकार ओद्योगिक अधिकरण श्रम न्यायालय जबलपुर, के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-11-99 को प्राप्त हुआ था।

[सं. एल-41012/135/92-आई आर (डी यू)
(बी-1)]

जी. राय, डेस्क अधिकारी

New Delhi, the 29th November, 1999

S.O. 3622.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Railway, Jabalpur and their workman, which was received by the Central Government on 29-11-1999.

[No. L-41012/135/92-IR(D.U.)(B-1)]

G. ROY, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

Presiding Officer: Shri D. N. Dixit.

Case No. CGIT/L.C/R/248/93

Shri Ram Shanker,
S/o Shri Ramnath,
Gram: Dharampura,
Post: Purava,
Dist : Unnaw (U.P.)

Workman

V/s

The Divisional Railway Manager,
Central Railway,
Jabalpur (M.P.)

....Management

AWARD

Delivered on this 29th day of October, 1999

1. The Government of India, Ministry of Labour vide its order No. L-41012/135/92-I.R. (D.U.) dated 16-12-93 has referred the following dispute for adjudication by this tribunal :

"Whether the action of the management of D.R.M. Central Railway, Jabalpur (M.P.) in terminating the services of Shri Ramshankar, S/o Ramnath Ex-monthly rated Khalasi w.e.f. 19-3-86 is justified? If not, to what relief the workman concerned is entitled to?"

2. The admitted facts of the case are that the workman Sh. Ramshankar was a Khalasi under Chief Inspector of Works, Central Railway, Katni. The services of workman were terminated from 19-3-86. Prior to termination no enquiry was held. The workman has not been retrenchment compensation and not being given notice of retrenchment. Order of termination has not been passed by the management.

3. The case of the workman is that his services has been terminated by management arbitrarily and illegally from 19-6-86. He has not committed any misconduct. Several times he gave application to get back the job but the same has been ignored by management. The workman prays that he be taken back in service and paid back wages.

4. The case of the management is that the workman abandoned the service from 19-3-86. His services has not been terminated by management. The workman is not entitled to any relief.

5. The only point to consider is whether the services of workman were terminated from 19-3-86 or he abandoned work from 19-3-86. The workman has to prove that his services were terminated and on the other hand the management has to prove that workman abandoned work from 19-3-1986.

6. The workman filed the letter of Chief Inspector of Works, Central Railway, Katni dated 22-10-90. This mentions that on 19-3-86 DRM Jabalpur curtailed the strength of labour, hence workman was retrenched.

7. Before Regional Labour Commissioner, Central, the management has given in writing on 28-10-90 that workman was given employment for the second time on 19-3-86. The workman remained absent from 19-3-86 to 23-9-86 and the management presumed that he does not want to work. In Court the workman has not been cross examined on his affidavit whether he was given appointment on 19-3-86. The Order dated 19-3-86 in respect of second appointment has not been produced by the management. Thus even order dated 19-3-86 has been made about the second employment of workman has not been given to the workman and his non-joining the job cannot be a circumstances against him. I will like to point that the reply of management before Regional Labour Commissioner dated 28-9-92 and Written Statement on this case are completely divergent. The facts narrated in the reply before Regional Labour Commissioner do not find place in the present written statement. The conduct of the management is highly suspicious. I find that the workman has been terminated arbitrarily without reason from service from 19-3-1986.

8. The Award is given in favour of the workman. He will be deemed to be in service from 19-3-86 upto date and will be entitled to pay and allowances to this period. The arrears be paid within 3 months of the date of Award. Failure to pay the arrears within time will make the management liable to interest @ 12% per annum. Management to pay Rs. 5,000 cost to workman.

9. Copies of the Award be sent to Ministry of Labour, Government of India as per rules.

D. N. DIXIT, Presiding Officer

नई दिल्ली, 26 नवम्बर, 1999

का.आ. 3623.—ओद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसारण में, केन्द्रीय सरकार के नाम से बैंक के प्रबन्धनतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट ओद्योगिक विवाद में केन्द्रीय सरकार ओद्योगिक अधिकरण, चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-11-1999 को प्राप्त हुआ था।

[सं. एल-12011/9/93-आई.आर. (बी-11)]
सी. गंगाधरन, डेस्क अधिकारी

New Delhi, the 26th November, 1999

S.O. 3623.—In pursuance of Section 17 of the Industrial Dispute, Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Canara Bank and their workman, which was received by the Central Government on 22-11-99.

[No. L-12011/9/93-IR(B-II)]
C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
CHANDIGARH

Case No. I.D. 42/94

Workmen C/o Sh. Arun Ghai, Co-Convenor and Member-Central Committee, Canara Bank Staff Union, B-XI, 1662, Rani Mohalla, Ludhiana Pb.

... Petitioner

Vs.

The Dy. General Manager, Canara Bank, Central Office, SCO No. 81-82-83, Sector 34-A, Chandigarh.

... Respondent

Representatives

For the workman.—None.

For the management.—Sh. K. D. Aggarwal

AWARD

Passed on 7-6-99

The Central Government Ministry of Labour vide Notification No. L-12011/9/93-IR(B-II) dated 5-5-94 has referred the following dispute to this Tribunal for adjudication :

"What is the true and correct interpretation of Clause VI of the 4th bi-partite settlement regarding the method of filling up the post of Special Assistants especially with reference to the words "suitability be determined in member banks having the post of Special Assistant by interviewing all senior employees with weightage for qualifications ?" Does it imply that the weightage for qualification should be given at the time of preparation of the seniority list or at the time of interviewing senior employees?"

2. Today the case was fixed for consideration. Despite several notices none has put up appearance on behalf of Union. It appears that Union is not interested to pursue with the present reference. In view of the above the present reference is returned to the Appropriate Govt. for want of prosecution.

Chandigarh,

7-6-99

B. L. JATAV, Presiding Officer

नई दिल्ली, 26 नवम्बर, 1999

का.आ. 3624.—श्रीधोगिक विवाद प्रयोगितम्, 1947 (14 का 14) की धारा 17 के अनुसर में, केन्द्रीय सरकार कारोबोरोग बैठक के प्रभाव से गंदर नियोजनों और उनके कर्मकारों के बीच, यात्रुयन्त्र में निर्दिष्ट श्रीधोगिक विवाद में केन्द्रीय सरकार श्रीधोगिक प्रधिकरण नं. 2, नुस्खे के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-11-1999 को प्राप्त हुआ था।

[सं. नं.-12011/43/99-प्राई. आर. (वो.-II)]

मी. गंगाधरन, डेस्क अधिकारी

New Delhi, the 26th November, 1999

S.O. 3624.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 2, Mumbai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Corporation Bank and their workmen, which was received by the Central Government on 25-11-99.

[No. L-12011/43/99-IR(B-II)]

C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. II, MUMBAI

PRESENT :

Shri S. B. Panse, Presiding Officer

Reference No. CGIT-2/170 of 1999

Employers in Relation to the Management of Corporation Bank

The Chief Manager,
Corporation Bank,
45, Nariman Bhawan,
227, Backbay Reclamation,
Nariman Point,
Mumbai-21.

AND

Their workmen
The Secretary,
Corporation Bank Employees Union,
Central Office, Room No. 9,
1st Floor, 22, Bombay Samachar Marg,
Mumbai-1.

APPEARANCES :

For the Employer : Mr. R. S. Pai, Advocate.

For the Workmen : Mr. M. K. Bhat, Representative.

Mumbai, dated 28th October, 1999

AWARD

The Government of India, Ministry of Labour by its Order No. L-12011/43/99-IR(B-II) dated 18/23-8-99 had referred to the following Industrial Dispute for adjudication—

"Whether the action of the management in not regularising the services of Sh. Mhasu R. Mhasudune Sh. Kishore Kashiram Jadhav and S. Umesh Waghamare from the respective date of joining is justified ? If not, what relief the workmen are entitled to ?"

2. Today the parties appeared and filed Memorandum of Settlement. It is read and recorded. Hence I pass the following order :—

ORDER

The Award is passed in terms of the settlement
(F. G.)

S. B. PANSE, Presiding Officer

Ex. 6

FROM : REGIONAL OFFICE, WESTERN REGION I, MUMBAI
 TO BE DELIVERED TO MR. M. K. BHAT,
 PRESIDENT, CBEU, MUMBAI
 BEFORE THE LEARNED PRESIDING OFFICER,
 CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2 AT MUMBAI

In the matter of

Ref. No. CGIT-2/170 of 1999

PARTIES .

Employers in relation to
 The Management of Corporation Bank
 Represented by The Asstt. General Manager,
 Regional Office, Western Region-I,
 45-Nariman Bhavan,
 227, Backbay Reclamation,
 Nariman Point,
 Mumbai-400021

... I PARTY

AND

Their workmen
 Represented by The President,
 Corporation Bank Employees' Union,
 Central Office, Room No. 9,
 1st Floor, 22-Bombay Samachar Marg,
 Mumbai-400001.

.. II PARTY

JOINT MEMO SUBMITTED BY THE PARTIES

It is submitted that the II Party who raised the aforesaid dispute was in touch with the I Party, having its Head Office at Mangalore, Karnataka. The II Party has appealed to the I Party to consider the claim of the concerned workmen in respect of whom the dispute has been raised, on sympathetic grounds, having regard to the service put in by them as Temporary Sub-Staff against certain regular vacancies of peon pending recruitment against the same.

The II Party also appealed to the I Party that the settlement of the dispute would augur well in fostering better Industrial Relations.

Arising out of the said interaction, the parties are of the view that the aforesaid dispute pending adjudication before the Hon'ble Tribunal be resolved amicably on certain mutually accepted terms. The II Party on their part assured to devote greater attention for improving the customer services, productivity and overall image of the Bank. Accordingly, the parties here to submit a Joint Memo on the following terms in full and final settlement of the aforesaid Industrial Dispute.

TERMS OF SETTLEMENT

- That considering the entire facts and circumstances of the case, it is decided by the I Party, as a special case, to reckon the period of temporary service against permanent vacancies, as part of probationary period in respect of the following Sub-staff as detailed below :

Sl. No.	Name of Sub-staff	Present Date of	Date from which probatoinary shall be reckoned notionally
1.	Sri Mhasu R. Mhaisuthune M. 2544, Peon, Santa Cruz, Mumbai Branch	03-07-1996	21-04-1993
2.	Sri Umesh H. Waghmare M 2601, Peon, Fort-Mumbai Branch	11-03-1997	16-10-1994
3.	Sri Kishore C. Jadhav M 2606, Peon, Bandra (W), PBB-Mumbai Branch	12-03-1998	01.09.1994

2. That the II Party agrees not to quote the above as a precedent.

3. That the Management also agrees to extend in these cases similar benefits which have been extended in the other three identical cases settled before the Assistant Labour Commissioner (Central), Mumbai on 28-1-1999, consequent upon retrospective reckoning of their probationary period.

The parties submit that the Hon'ble Tribunal may be pleased to accept this Joint Memo in full and final settlement of the dispute and pass an Award accordingly.

For I Party :
 Sd/-
 (Sri K. Raniamoorthy)
 Asstt. General Manager,
 Corporation Bank,
 Regional Office, WR-I,
 Mumbai.

Witnesses :
 1. B. S. Mulyc
 Sd/-
 2. Vijaya Gopal
 Mumbai.
 Dated : 28-10-1999.

For II Party :
 Sd/-
 (Shri M. K. Bhat)
 President, CBEU,
 Mumbai

नई दिल्ली, 26 नवम्बर, 1999

का. आ. 3625.—ओद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार देना बैंक के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निविट ओद्योगिक विवाद में ओद्योगिक अधिकरण, अहमदाबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-11-99 को प्राप्त हुआ था।

[सं. एल.-12012/166/98-आई. आर. (बी.-II)]

मि. गंगाधरन, डेस्क अधिकारी

New Delhi, the 26th November, 1999

S.O. 3625.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Ahmedabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Dena Bank and their workmen, which was received by the Central Government on 22-11-99.

[No. L-12012/166/98-IR(B-II)]

C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE SHRI P. R. DAVE, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL (CENTRAL), AT AHMEDABAD

Ref. (ITC) No. 36/99

ADJUDICATION

BETWEEN

Dena Bank, Ahmedabad. ... First party

Vs.

The workman employed under it. ... Second party

In the matter of termination of services by declaring the workman Sh. Narendra S. Shah as voluntarily abandoned etc.

APPEARANCES :

Shri Bhagyesh Bhatt, Advocate for the first party.

Shri Vishney B. Panchal, Advocate for the second party.

AWARD

The above mentioned industrial dispute between Dena Bank, Ahmedabad, (Dhanalaxmi Bldg., Ashram Rd., A'bad) and the workmen employed under it has been referred for adjudication under Section 10(1)(d) of the I.D. Act, 1947 by the Desk Officer, Govt. of India, Ministry of Labour, New Delhi's Order No. L-12012/166/98-IR(B-II) dtd. 27-1-1999 to the Industrial Tribunal, Ahmedabad as per the schedule attached to the order of reference. Thereafter under an appropriate order it has been transferred to this Tribunal for proper adjudication.

During the course of proceedings notices were issued to both the parties calling upon them to file their respective statements and the matter was adjourned from time to time in the interest of justice. However none of the parties have shown interest to proceed with the matter. Hence for want of prosecution the matter is disposed of as per the following order.

ORDER

The reference stands disposed of for want of prosecution with no order as to cost.

Sd/- (Illegible)

Secretary,
Ahmedabad. dt. 29th October, 1999.

Sd/- (Illegible)

Presiding Officer Industrial Tribunal

नई दिल्ली, 26 नवम्बर, 1999

का. आ. 3626.—ओद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में शिक्षिट ओद्योगिक विवाद में केन्द्रीय सरकार ओद्योगिक अधिकरण, चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-11-99 को प्राप्त हुआ था।

[सं. एल-12012/225/93-आई आर (बी-II)]

सी. गंगाधरन, डेस्क अधिकारी

New Delhi, the 26th November, 1999

S.O. 3626.—In pursuance of Section 17 of the Central Government hereby publishes the award of Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Punjab National Bank and their workman, which was received by the Central Government on 22-11-99.

[No. L-12012/225/93-IR(B-II)]

C. GANGADHARAN, Desk Officer
ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH.

Case No. I.D. 26/94

Shri Harbhajan Ram
S/o Sh. Tak Chand Sharma,
25, Sant Nagar, Civil Line,
Ludhiana

... Petitioner

Vs.

Zonal Manager, Punjab National Bank

Zonal Office, Feroze Gandhi Market,

Ludhiana

.. Respondent

REPRESENTATIVES :

For the workman : None

For the management : Sh. Manjit Singh

AWARD

Passed on 3-6-99

The Central Govt. Ministry of Labour vide notification No. L-12012/225/93-IR(B.2) dated 22-2-94 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Punjab National Bank, Ludhiana in dismissing Shri Harbhjan Ram Peon from service with effect from 9-1-1990 is justified ? If not, what relief, is the workman entitled to ?"

2. Today the case was fixed for filing of claim statement by the workman. Despite several notices none has put up a appearance on behalf of the workman nor any claim statement has been filed. It appears that workman is not interested to pursue with the present reference. The same is returned to the Ministry for want of prosecution. Appropriate Govt. be informed.

Chandigarh,
3-6-99.

B. L. JATAV, Presiding Officer

नई दिल्ली, नवम्बर 26, 1999

का.आ. 3627.—श्रीदीयिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेंट्रल बैंक ऑफ इण्डिया के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रीदीयिक विवाद में केन्द्रीय सरकार श्रीदीयिक अधिकरण चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-11-99 को प्राप्त हुआ था।

[म. पल-12012/258/96-आई आर. (बी-II)]
सी. गंगाधरण, अध्यक्ष अधिकारी

New Delhi, the 26th November, 1999

S.O. 3627.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Bank of India and their workman, was received by the Central Government on 22-11-99.

[No. L-12012/258/96-IR(B-II)]
C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH.

o Case No. I.D. No. 159/97
Shri R.K. Sharma
C/o General Secretary,
Central Bank of India Employees Union,

119037-B, Chandigarh ... Petitioner

Vs.
The Chief Manager (P),
Central Bank of India,
Zonal Office, Sector 17-B,
Chandigarh, ... Respondent

REPRESENTATIVES :

For the workman : None

For the management : Sh. D. K. Chada

AWARD

Passed on 8-6-99

The Central Govt. Ministry of Labour vide notification No. L-12012/258/96-IR(B-II) dated 5-8-97 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Central Bank of India in denying Sh. R.K. Sharma to officiate as JMGS-I and allowing his junior clerks to officiate as JMGS-I is legal and justified ? If not, to what relief the said workman is entitled ?"

2. Today the case was fixed for filing of claim statement by the workman. None appeared on behalf of the workman neither any claim statement is filed despite four opportunities. It appears that workman is not interested to pursue with the present reference. In view of the above the present reference is returned to the Appropriate Govt. for want of prosecution.
Chandigarh
8-6-99

B. L. JATAV, Presiding Officer
Industrial Tribunal-cum-Labour Court

नई दिल्ली, 26 नवम्बर, 1999

का.आ. 3628.—श्रीदीयिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रीदीयिक विवाद में केन्द्रीय सरकार श्रीदीयिक अधिकरण जबलपुर, के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-11-99 को प्राप्त हुआ था।

[म. पल-12012/280/90-आई आर. (बी-II)]
सी. गंगाधरण, एस्क अधिकारी

New Delhi, the 26th November, 1999

S.O. 3628.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Punjab National Bank and their workman, which was received by the Central Government on 23-11-99.

[No. L-12012/280/90-IR(B-II)]
C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT, JABALPUR

No. CGIT/LC/R/42/91

PRESIDING OFFICER : SHRI D. N. DIXIT

Shri D. M. Ashatkar, Teller,
Punjab National Bank,
Bhusaval Branch,
Bhusaval.

Applicant

Versus

Punjab National Bank,
Kings Way, Nagpur
through its
General Manager.

Non-applicant

AWARD

Delivered on this 2nd day of November, 1999

1. The Government of India, Ministry of Labour vide Order No. L-12012/280/90-IR(B-II) dated 26-3-91 has referred the following dispute for adjudication by this tribunal :—

"Whether the action of the management of Punjab National Bank in awarding the punishment of stoppage of 4 increments to Shri D. M. Ashatkar, teller is justified ? If not, what relief the workman is entitled to ?"

2. The workman remained absent continuously since 16-7-99. It seems that the workman is not interested in pursuing the case. In view of the above, No Dispute Award is passed. Parties to bear their own cost.

3. Copies of the award be sent to the Ministry of Labour, Government of India as per rules.

D. N. DIXIT, Presiding Officer

नई दिल्ली, दिनांक 24 नवम्बर, 1999

का.मा. 3629.—प्रौद्योगिक विवाद अधिनियम, 1947 (1947 का- 14) की भारा 17 के अनुसरण में केन्द्रीय सरकार सुरेन्द्र कुमार, स्टोन मार्झन मालिक के प्रबंधसंघ के संबंध निवोजकों और उनके कर्मकारों के बीच, अनुबंध में निविष्ट प्रौद्योगिक विवाद में प्रौद्योगिक अधिकरण/श्रम न्यायालय कोटा के पंचायत की प्रकाशित करती है, जो केन्द्रीय सरकार को 24-11-99 को प्राप्त हुआ था।

[न. एल-29012/17/98-आई.आर. (एम)]
बो. एम. डेविड, श्रम अधिकारी

New Delhi, the 24th November, 1999

S.O. 3629.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal/Labour Court, Kota as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of

Surendra Kumar, Stone Mine owner and their workman, which was received by the Central Government on 24-11-99.

[No. 29012/17/98-IR. (M)]
B. M. DAVID, Under Secy.

परिणाम

न्यायालयीय, प्रौद्योगिक न्यायालयिकरण/केन्द्रीय/कोटा, राज.
निर्देश प्रकरण क्रमांक: श्रम. न्या./केन्द्रीय/-16/98

दिनांक स्थापित : 10/8/98

प्रसंग: भारत सरकार, श्रम मंत्रालय, नई दिल्ली के प्रतिवेद
सं. एल-29012/17/98-आई.आर. (एम)
दिनांक : 31/7/98

प्रौद्योगिक विवाद अधिनियम, 1947

मामूल

जानकीलाल पूत्र श्री पन्नलाल द्वारा महामंडी, पत्थर
खान कामगार यूनियन, बंगाली कालोनी, छावनी,
कोटा।

—प्रार्थी श्रमिक

एवं

सुरेन्द्र कुमार, स्टोन मार्झन ऑनर, राजपूरा, तिलकगढ़,
छावनी, कोटा —प्रतिपक्षी नियोजक

उपरिकृत

श्री जगदीन प्रसाद शर्मा,
आर. एच. जे. एस.

प्रार्थी श्रमिक की ओर से प्रतिनिधि—श्री एम. के. तिवारी
प्रतिपक्षी नियोजक की ओर से—एक पक्षीय कार्यवाही
अधिनियम दिनांक : 12/10/99

अधिनियम

भारत सरकार, श्रम मंत्रालय, नई दिल्ली द्वारा निर्धारित निर्वोक्त प्रौद्योगिक विवाद अधिनियम, 1947 (जिसे तदुपरान अधिनियम” से सम्बोधित किया जायेगा) की भारा 10(1)(अ) के अन्तर्गत इस न्यायालयिकरण को अधिनियमात्मक सम्बोधित किया गया है :—

“Whether the action of the management of Shri Surendra Kumar, Stone Mine Owner, Rajpura, in terminating the services of Shri Jankilal S/o Shri Panna Lal Munshi is legal and justified ? If not, to what relief the workman is entitled ?”

2. निर्देश न्यायालयिकरण में प्राप्त होने पर वर्जनियर जिस्टर किया गया व पक्षकारों की सूचना जरीरी की गयी। प्रार्थी श्रमिक जानकीलाल की ओर से क्लैप स्टेटमेंट प्रस्तुत कर संभेद में यह अधिकृत किया गया है कि प्रार्थी श्रमिक द्वारा प्रतिपक्षी सुरेन्द्र कुमार शर्मा, स्टोन मार्झन

ओनर, राजपुरा, 95-तिलक नगर, कोटा (जिसे तदुग्रान्त “प्रतिपक्षी नियोजक” से सम्बोधित किया जावेगा) के यहां खान राजपुरा छूटी जिला बूद्धी के यहां मुश्ती के पद पर नियोजित होकर विनाक 4/1/94 से 5/12/96 तक निरन्तर कार्य किया गया है। आगे यह भी अभिकथित किया गया है कि प्रार्थी श्रमिक को प्रतिपक्षी नियोजक द्वारा 3000/-रु. प्रतिमाह वेतन पर नियोजित किया गया था परन्तु उसे कभी 800/-रु. कभी 900/-रु. व कभी 1000/-रु. प्रतिमाह ही दिया जाता रहा और जब प्रतिपक्षी नियोजक से वेतन का दिसाव करने को कहा गया तो उसे विनाक 6/12/96 से नौकरी से हटा दिया गया। इस प्रकार प्रार्थी श्रमिक ने प्रतिपक्षी नियोजक के यहां उक्त प्रकार से वि. 4/1/94 से 5/12/96 तक निरन्तर कार्य कर उक्त नियोजनवधि में 240 दिवस से अधिक समय तक कार्य कर लिया था परन्तु उसे सेवा से हटाने से पूर्व न तो एक माह का नोटिस अथवा नोटिस वेतन व छंटनी का मुआवजा दिया गया और न ही प्रस्तावित किया गया जोकि अधिनियम की धारा 25 एक का स्पष्ट उल्लंघन है और अधिनियम की धारा 2(ओरो) के ग्रधीन भी की गयी छंटनी अनुचित व अवैध है। आगे यह भी अभिकथित किया गया है कि प्रार्थी श्रमिक की अधिकृत यूनियन द्वारा भी रजि. ए. डी. पत्र दि. 9-1-87 प्रतिपक्षी नियोजक को भेज कर उसे पत्र प्राप्ति के 3 दिवस में ड्यूटी पर लेने का निवेदन किया गया जो पत्र प्रवर्ष डब्ल्यू 4 है परन्तु “हिलेवरी टाईम मुकाम पर नहीं मिलता, 7 रोज तलाश कर यापिस लाउंटे” के नोट के साथ लिफाफा वापस प्राप्त हुआ जो प्रदर्श डब्ल्यू 2 है। उसकी शपथ-पत्र पर आगे यह साध्य भी रहा है कि उसे नौकरी से निकाले जाने उपरान्त उसके द्वारा वि. 16-1-97 को सहायक श्रमायुक्त/फैस्ट्रीय/कोटा के यहां विदाव प्रस्तुत किया गया जिसकी प्रति प्रदर्श डब्ल्यू. 3 है परन्तु प्रतिपक्षी नियोजक के अनुपस्थित रहने पर असफल वार्ता प्रतिवेदन केन्द्रोपय सरकार को प्रेषित किया गया जिसकी फोटोप्रति प्रदर्श डब्ल्यू. 4 है। आगे यह भी साक्ष्य रही है कि उसने बकाया वेतन के गणना के सम्बन्ध में भी प्रार्थना-पत्र अधिनियम की धारा 33-सी (2) के अन्तर्गत श्रम न्यायालय, कोटा के समक्ष प्रस्तुत किया है जिसकी फोटोप्रति प्रदर्श डब्ल्यू. 5 है। प्रार्थी श्रमिक की आगे यह भी साध्य रही है कि वह प्रतिपक्षी नियोजक के यहां मुश्ती की हैसियत से खान पर विल बनाने वादि का कार्य करता था जिन बिल की फोटोप्रति प्रदर्श डब्ल्यू. 6 लगा डब्ल्यू. 12 रही है। आगे यह भी साक्ष्य रही है कि प्रार्थी श्रमिक से प्रतिपक्षी नियोजक द्वारा वेतन के सम्बन्ध में अभद्र अवश्याह किया गया था जिसका क्षमायाचना का पत्र दिनांकित 19-9-96 प्रदर्श डब्ल्यू. 13 है व प्रतिपक्षी नियोजक ने उसके कार्ग के सम्बन्ध में पत्र लिखा था जिसकी फोटोप्रति प्रदर्श डब्ल्यू. 14 है। प्रार्थी श्रमिक की यह भी साक्ष्य रही है कि वह नौकरी से निकाले जाने के दिन से आज तक बेरोजगार रहा है। प्रार्थी श्रमिक के कॉम स्टेंडर्ड में वर्णित उक्त सभ्यों व समर्थन में प्रस्तुत शपथ-पत्र पर रही उक्त साध्य व साक्ष्य समर्थन में प्रस्तुत उक्त प्रलेखीय साध्य के खण्डन स्वरूप प्रतिपक्षी नियोजक की ओर से अभिलेख पर जेवाव बतेम प्रश्न भाष्यिक या प्रलेखीय साक्ष्य उपलब्ध, तभी कराई गयी है जिससे कि प्रार्थी श्रमिक के कथमों पर

3. प्रतिपक्षी नियोजक को वि. 23/11/18 की तारीख पेशी के नोटिस की तारीख हो चुकी थी परन्तु उनकी ओर से बाद तामील इस तिथि को व उसके पश्चात दि. 4/2/99 तथा 4/5/99 को भी कोई उपस्थिति नहीं होने से उनके विरुद्ध कार्यकारी एकतरफा श्रमिक में लायी गयी।

4. साक्ष्य एकतरफा में प्रार्थी श्रमिक जानकी लाल स्वर्य का शपथ-पत्र प्रस्तुत किया गया व समर्थन में कुल 14 प्रलेख प्रदर्श डब्ल्यू. 1 लगा डब्ल्यू. 14 तक फोटोप्रतियां प्रस्तुत की गयी हैं। मैंने बहस एकतरफा सुनी व प्राकाशी तथा प्रस्तुत प्रलेखों का ध्यानपूर्वक अवलोकन किया।

5. प्रार्थी श्रमिक जानकी लाल का ओर से अपने फ्लेम समर्थन में प्रस्तुत शपथ-पत्र में करीब-करीब उन्हीं सभ्यों का समावेश किया गया है जोकि उसने अपने क्लेम में उपरोक्त प्रकार से वर्णित किये हैं। प्रार्थी श्रमिक द्वारा शपथ-पत्र में यह स्पष्ट अभिकथित किया गया है कि वह प्रतिपक्षी नियोजक के यहां नियोजन में वि. 4-1-94 से मंगी के पथ पर नियोजित होकर विनाक

5-12-96 तक निरन्तर कार्यरूप रहा है और उसके द्वारा उक्त नियोजनावधि में 240 दिवस से भी अधिक समय तक कार्य कर कर फस से कम से एक वर्ष पूर्ण भेजा कार्य किया गया है। उसके द्वारा यह भी अभिकथित किया गया है कि उरका प्रतिपक्षी नियोजक के यहां 3000/-रु. प्रतिमाह वेतन निश्चित रहा था परन्तु प्रतिपक्षी नियोजक उसे कभी भी पूर्ण वेतन ग्रंथ नहीं करता था तथा कभी 800/-रु. कभी 900/-रु. व कभी 1000/-रु. प्रतिमाह ही दिया जाता रहा और जब प्रतिपक्षी नियोजक से वेतन का दिसाव करने को कहा गया तो उसे विनाक 6/12/96 से नौकरी से हटा दिया गया। इस प्रकार प्रार्थी श्रमिक ने प्रतिपक्षी नियोजक के यहां उक्त प्रकार से वि. 4/1/94 से 5/12/96 तक निरन्तर कार्य कर उक्त नियोजनावधि में 240 दिवस से अधिक समय तक कार्य कर लिया था परन्तु उसे सेवा से हटाने से पूर्व न तो एक माह का नोटिस अथवा नोटिस वेतन व छंटनी का मुआवजा दिया गया था और जब वेतन का दिसाव करने के लिए कहा गया तो उसे दि. 6-12-96 से विना एक माह का नोटिस अथवा नोटिस वेतन व छंटनी का मुआवजा दिया गया था परन्तु प्रतिपक्षी नियोजक को आगे यह भी शपथ-पत्र पर केवल रहा है कि उसकी अधिकृत यूनियन द्वारा भी रजि. ए. डी. पत्र दि. 9-1-87 प्रतिपक्षी नियोजक को भेज कर उसे पत्र प्राप्ति के 3 दिवस में ड्यूटी पर लेने का निवेदन किया गया जो पत्र प्रवर्ष डब्ल्यू 4 है परन्तु “हिलेवरी टाईम मुकाम पर नहीं मिलता, 7 रोज तलाश कर यापिस लाउंटे” के नोट के साथ लिफाफा वापस प्राप्त हुआ जो प्रदर्श डब्ल्यू 2 है। उसकी शपथ-पत्र पर आगे यह साध्य भी रहा है कि उसे नौकरी से निकाले जाने उपरान्त उसके द्वारा वि. 16-1-97 को सहायक श्रमायुक्त/फैस्ट्रीय/कोटा के यहां विदाव प्रस्तुत किया गया जिसकी प्रति प्रदर्श डब्ल्यू. 3 है परन्तु प्रतिपक्षी नियोजक के अनुपस्थित रहने पर असफल वार्ता प्रतिवेदन केन्द्रोपय सरकार को प्रेषित किया गया जिसकी फोटोप्रति प्रदर्श डब्ल्यू. 4 है। आगे यह भी साक्ष्य रही है कि उसने बकाया वेतन के गणना के सम्बन्ध में भी प्रार्थना-पत्र अधिनियम की धारा 33-सी (2) के अन्तर्गत श्रम न्यायालय, कोटा के समक्ष प्रस्तुत किया है जिसकी फोटोप्रति प्रदर्श डब्ल्यू. 5 है। प्रार्थी श्रमिक की आगे यह भी साध्य रही है कि वह प्रतिपक्षी नियोजक के यहां मुश्ती की हैसियत से खान पर विल बनाने वादि का कार्य करता था जिन बिल की फोटोप्रति प्रदर्श डब्ल्यू. 6 लगा डब्ल्यू. 12 रही है। आगे यह भी साक्ष्य रही है कि प्रार्थी श्रमिक से प्रतिपक्षी नियोजक द्वारा वेतन के सम्बन्ध में अभद्र अवश्याह किया गया था जिसका क्षमायाचना का पत्र दिनांकित 19-9-96 प्रदर्श डब्ल्यू. 13 है व प्रतिपक्षी नियोजक ने उसके कार्ग के सम्बन्ध में पत्र लिखा था जिसकी फोटोप्रति प्रदर्श डब्ल्यू. 14 है। प्रार्थी श्रमिक की यह भी साक्ष्य रही है कि वह नौकरी से निकाले जाने के दिन से आज तक बेरोजगार रहा है। प्रार्थी श्रमिक के कॉम स्टेंडर्ड में वर्णित उक्त सभ्यों व समर्थन में प्रस्तुत शपथ-पत्र पर रही उक्त साध्य व साक्ष्य समर्थन में प्रस्तुत उक्त प्रलेखीय साध्य के खण्डन स्वरूप प्रतिपक्षी नियोजक की ओर से अभिलेख पर जेवाव बतेम प्रश्न भाष्यिक या प्रलेखीय साक्ष्य उपलब्ध, तभी कराई गयी है जिससे कि प्रार्थी श्रमिक के कथमों पर

प्रधिकारण संचाट किया जाता है। यहाँ तक कि स्वयं प्रतिपक्षी नियोजक की ओर से बाहर नियोजक के लायाधिकार के समस्त अपने मक्का तक उपस्थिति होकर प्रकट नहीं किया गया है, फलस्वरूप दिनांक 4-3-99 को उनके विरुद्ध एकत्रफा कार्यवाही के आवेदन पारित किये गये हैं। इस प्रकार प्रार्थी श्रमिक द्वारा अपने क्षेत्र स्टेटमेन्ट समर्थन में प्रस्तुत मौखिक ए प्रलेखीय सादृश्य से यह भलीभांति प्रमाणित किया गया है कि उसके द्वारा प्रतिपक्षी नियोजक के यहाँ दि. 4-1-94 से मूँशी के पद पर नियोजित होकर दि. 5-12-96 तक निरन्तर कार्य कर उक्त नियोजनावधि में 240 दिन से अधिक समय तक कार्य कर करम संक्षम प्रकृति की पूर्ण सेवा की गयी है परन्तु प्रतिपक्षी नियोजक द्वारा उसे दि. 6-12-96 से बिना एक भाह का नोटिस अधिकारी नोटिस वेतन व छठनी का मुश्यावजा किये श्रमिक प्रस्तावित किये सेवा से हटाया गया है जोकि स्पष्ट रूप से अधिनियम की धारा 25-एक के आधारक प्रावधानों के विवरीत रहा है और जो अधिनियम की धारा 2 (ओए) के प्रतीन छठनी भी रही है जोकि पूर्ण रूप से अनुचित व अवैधानिक रही है, फलस्वरूप प्रार्थी श्रमिक प्रतिपक्षी नियोजक के यहाँ पिछले सम्पूर्ण वेतन, सेवा की निरन्तरता व अन्य समस्त लाभों सहित पुनः सेवा में पवस्थापित होने का अधिकारी घोषित किया जाता है।

6. अतः उक्त सम्पूर्ण किसेवन के आधार पर भारत सरकार, अम मलालय, नई दिल्ली द्वारा सम्बोधित निर्देश को इस प्रकार उत्तरित किया जाता है कि प्रतिपक्षी नियोजक मुर्चेन्ड्र कुमार शर्मा, स्टोन भाईन ओनर, रोडपुरा, 95 तिलक नगर, कोटा द्वारा प्रार्थी श्रमिक जानकी लाल पुत्र श्री पन्नालाल मूँशी को दिनांक 6-12-96 से सेवा से हटाना अनुचित एवं अवैध है, फलस्वरूप प्रार्थी श्रमिक प्रतिपक्षी नियोजक के यहाँ पिछले सम्पूर्ण वेतन, सेवा की निरन्तरता व अन्य समस्त लाभों सहित पुनः सेवा में पवस्थापित होने का अधिकारी घोषित किया जाता है।

इस अधिनियम को समुचित सरकार को नियमानुसार प्रकाशनार्थ भिजाया जावे।

जगदीश प्रसाद शर्मा, न्यायाधीश:

नई दिल्ली, 29 नवम्बर, 1999

का. आ. 3630.—शोधोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार में ची. एण्ड म्यूर्हेड लि. के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट शोधोगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकारण/अम न्यायालय मुम्हाई के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-11-99 को प्राप्त हुआ था।

[सं. एन-31012/8/98-आई आर (एम)]

गोपनीय डॉ. ईनिह, अवर मनिक

New Delhi, the 29th November, 1999

S.O. 3630.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Mumbai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Lee & Muirhead Ltd. and their workmen which was received by the Central Government on 25-11-99.

[No. L-31012/8/98-IR(M)]

B. M. DAVID, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. II, MUMBAI

PRESENT :

Shri S. B. PANSE, Presiding Officer

Reference No. CGIT-2/86 of 1998

Employer in relation to the management of
M/s. Lee & Muirhead Ltd.
The Commercial Manager,
12, K. Dubash Marg,
Mumbai-400023.

And

Their Workmen,
Transport & Dock Workers Union,
The Secretary,
P.D. Mello Bhavan, P.D. Mello Road,
Carnac Bunder,
Mumbai-400 038.

APPEARANCES :

For the Employer—Mrs. N. R. Patankar, Advocate.

For the Workmen—Mr. S. R. Wagh, Advocate,
Mumbai, dated 3rd November, 1999

AWARD

The Government of India, Ministry of Labour by its Order No. L-31012/8/98-IR(M), dated 29-06-98, had referred to the following Industrial Dispute for adjudication :

“Whether the action of the management of M/s. Lee & Muirhead Co. Ltd. in illegally dismissing from service Shri L. R. Pandey, Sr. Clerk w.e.f. 8-4-1996 is justified? If not, to what relief the workman is entitled to?”

2. The union filed a Statement of claim at Exhibit-7. The management filed a written statement at Exhibit-8. The union filed a Rejoinder at Exhibit-9. Thereafter the workman lead his oral evidence at Exhibit-12 and closed his evidence. Then the management filed a purshis (Ex-17) that it does not want to lead any oral evidence in the matter.

3. Thereafter, there was talk of settlement. The parties sought adjournment on that instead of arguing the matter. At last today both the parties jointly filed an application (Ex-19) contending that the matter is settled and the award may be passed in terms of the settlement enclosed in that application. It was

read and recorded. The parties admitted it. Under such circumstances, I pass the following order:

ORDER

The reference is disposed off in terms of settlement (Ex-19A).

3-11-1999.

S. B. PANSE, Presiding Officer

Dated the 2nd November, 1999

MEMORANDUM OF SETTLEMENT

[Under Section 2(p) read with Section 18(1) and Rule 62 of the Industrial Disputes (Bombay) Rules, 1957].

Representing the Employer :

Shri Vijay E. Bhambre,
Dy. Manager—Personnel,
Lee & Muirhead Ltd.,
12, K. Dubash Marg,
Mumbai-400 023.

Representing the Workman :

Shri L. R. PANDEY,
Workman in person,
Village Sand, P.O. Siloudhi,
Dist. Pratapgarh (U.P.)

SHORT RECITAL OF THE CASE

Shri L. R. Pandey (hereinafter referred to as the workman) was dismissed from the employment of Lee & Muirhead Ltd. (hereinafter referred to as the company) after conducting domestic enquiry against him. The workman challenged the said dismissal before the Commissioner of Labour, Central which ultimately resulted in Reference being Reference No. CGIT-2/86 of 1998 before the Presiding Officer, Central Government Industrial Tribunal No. 2 at Mumbai. During the pendency of the said Reference the parties explored the possibilities of an amicable monetary settlement of the dispute. As a result of series of discussions held between the parties, the parties arrived at an amicable settlement the following terms.

TERMS OF SETTLEMENT

It is agreed by and between the parties as under :

1. The workman stands having resigned from the company's employment since 8-4-1996. The dismissal order dated 8-4-1996 to the workman stands withdrawn.
2. The Company will pay to the workman an amount of Rs. 3,30,000 (Rupees Three Lakhs Thirty Thousand Only) in full and final settlement of all his claims, disputes, grievances, etc., statutory, monetary or otherwise, in respect of his employment with the Company and/or its cessation including his demands, claims, grievances, etc. in Reference No. CGIT-2/86 of 1998 and/or issues/off-shoots, etc. arising out of incidental to the said proceedings including his claim for re-instatement or re-employment in the company and/or in any other suit, cases that might have been filed and of which the company may not have knowledge.
3. The payment mentioned in clause (2) above will be made simultaneously by cheque on

signing of the settlement and on the workman filing necessary application in the above mentioned pending court matter informing the Hon'ble Tribunal about this settlement and praying for the disposal of the Reference accordingly.

4. The workman will pass necessary receipt for the payment received by him under this settlement.
5. The workman agrees that he has no claim, dispute or grievance whatsoever statutory, monetary or otherwise (including bonus, wages, gratuity, leave wages, etc.) against the Company in respect of its employment with the Company during any period and/or its cessation including his demands, claims, grievances, etc. in Reference No. CGIT-2/86 of 1998 and/or issues/off-shoots, etc. arising out of the said proceedings/ incidental thereto including his claim for reinstatement and/or re-employment in the Company.
6. The workman agrees not to pursue the above mentioned Reference and will file necessary pursis before the Hon'ble Court.
7. The terms of this Settlement will be understood, construed, interpreted and implemented as a package deal and for no purpose the same will be understood, construed, interpreted or implemented in a piece-meal manner.

PLACE : Mumbai

Dated : 3-11-1999.

Sd/-

V.E. BHAMBRE,
Dy. Manager-Personnel.

For & on behalf of the company

WITNESSES :

1. Sd/-
2. Sd/-

For & on behalf of the
Workman (Union)

Sd/-

L. R. PANDEY,
Workman in Person

Copy of :

1. The Secretary to the Government of Maharashtra,
Industries, Labour & Energy Dept.,
Manatralaya, Mumbai-400 032.
2. The Commissioner of Labour,
Commerce Center, Tardeo,
Mumbai-400 034.
3. The Dy. Commissioner of Labour,
Commerce Center, Tardeo,
Mumbai-400-034

4: The Conciliation Officer,
Office of the Commissioner of Labour,
Commerce Center, Tardeo,
Mumbai-400 034.

नई विली, 29 नवम्बर, 1999।

का. आ. 3631.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के प्रत्युत्तर में, केन्द्रीय सरकार मुम्हर्ई पोर्ट ट्रस्ट के प्रबन्धसंस्थ के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुसंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार, औद्योगिक अधिकारण, श्रम न्यायालय मुम्हर्ई के पॉर्ट को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-11-99 को प्राप्त हुआ था।

[त. एल-31012/13/98-आई शार (एम)]

वी. एम. डेविड, अवार सचिव

New Delhi, the 29th November, 1999

S.O. 3631.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal/Labour Court, Mumbai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Mumbai Port Trust and their workman, which was received by the Central Government on 25-11-99.

[No. L-31012/13/98-IR(M)]

B. M. DAVID, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. II, MUMBAI
PRESENT :

Shri S. B. PANSE—Presiding Officer.

Reference No. CGIT-2/150 of 1998.

Employers in relation to the Management of Mumbai Port Trust.

The Chairman,
Mumbai-38

AND

Their Workmen.
Shri Ramakrishnan Shivram Gadekar, Salkripa Bldg., D Wing, 3rd Floor,
Room No. 72,
Umarkhadi Road,
Mumbai-9.

APPEARANCES

For the Employer.—Mr. Umesh Nabar, Advocate.

For the Workmen.—Mr. Jaiprakash Sawant,
Advocate.

Mumbai, dated 2nd November, 1999.

AWARD—PART—I

The Government of India, Ministry of Labour by its Order No. L-31012/13/98-IR(M), dt. 11-12-1998, had referred to the following Industrial Disputes for adjudication :—

"Whether the action of the management of Mumbai Port Trust in dismissing the workman Shri Ramkrishna Sivram Gadekar from his services is justified? If not, to what relief the workman is entitled to?"

2. Ramkrishna Sivram Gadekar (hereinafter referred to as the workman) filed a Statement of Claim at Exhibit-6. He pleaded that he was in continuous employment of the Mumbai Port Trust (in short management) in its Chief Mechanical Engineers Department in the capacity of the Motor Guard Driver, w.e.f. 1-1-83. He pleaded that on 28-7-87 he was placed under suspension. Thereafter a chargesheet was issued to him. The domestic inquiry was conducted. It is averred that for the same grounds a criminal proceeding was also launched against him before the Metropolitan Magistrate, Bombay. It is submitted that the management instituted disciplinary proceedings against the workman on the same and similar grounds and the charges that were before the criminal court. It is therefore he requested the management to stay the domestic inquiry till the court come of criminal case. But the management did not accept this contention.

3. The workman pleaded that when he was suspended he was not paid full amount of subsistence as admissible under the provisions of law. Under such circumstances the domestic inquiry which was held against the workman was against the Principles of Natural Justice. It is averred that the findings of the inquiry officer, the disciplinary authority as well as the appellate authority imposing punishment upon the workman and confirming the punishment of dismissal from service w.e.f. 18-7-91 is on the basis of the perverse findings without application of mind and in utter disregard, to the service regulations.

4. The workman averred that the criminal court acquitted him. He therefore filed a Review Petition dtl. 7-10-97 before the management for his reinstatement in service but, it was not accepted and his dismissal from service which was affected on 18-7-91 was continued. For all these reasons it is submitted that the order of dismissal may be set aside and he may be reinstated in service in continuity with full back wages.

5. The management resisted the claim by the Written Statement (Exhibit-7). It is averred that it is well established Principle of Law it is not necessary for the employer to wait for the decision in criminal proceeding and it is open for the employer to prove the charges of misconduct in a domestic inquiry held for said purpose. It is submitted that the workman was dismissed for his acts of misconduct proved in the disciplinary proceedings and it has no bearing of acquittal in a criminal offence. It is asserted that the domestic inquiry which was conducted against the workman was as per the Principles of Natural Justice and the findings of the inquiry officer are not perverse. It is averred that he was paid proper subsistence allowance,

6. The management pleaded that the workman was appointed as a motor guard driver in Mechanical and Engineering department on January 1st, 1983. In 1987 he was working in the electrical establishment Sadar Divisions (EESD). On 8th July, 1987 he was posted on a jeep No. BLB-4505 of EESD section. However, intentionally and with oblique motive the workman took away port trust Matadoor van bearing Registration No. MAS 8537 near container kept at the junction of 12, Victoria Dock and ONGC without knowledge and orders of his superior's on duty. The management pleaded that the workman helped some miscreants who had already opened the container No. CATU-256749(IV) and were trying to remove bales of raw silk. The workman was arrested by the police with Matadoor van taken by him without authority and he was detained in the police custody for being involved in the theft. Thereafter he was suspended on 9th July, 1987 for being involved in a theft case and for being detained in the police custody for more than 48 hours as per the rules by order dtd. 20th July, 1987.

7. The management averred that disciplinary proceedings were initiated against the workman as per clause-7 (i)(c) and 2(a) of MBPT Employees CCA Regulation, 1976 for the aforesaid Acts of misconduct as well as for his involvement in the criminal offence of theft for which he was detained in the police custody for more than 48 hours. It is denied that the disciplinary proceedings and the criminal proceedings which were initiated against the workman amount to double proceedings. The charges in the criminal proceedings and the allegation in the domestic proceedings were different.

8. It is averred that it is well established law that it is not necessary for the management to wait till the decision of the criminal proceedings and it is free to take action against its employees for the acts of misconduct for which the employees are also charged under criminal law. It is averred that the workman was given full opportunity at all stages and thereafter the management had taken the appropriate action against him in respect of the charges proved. It is therefore submitted that the workman is not entitled to any of the reliefs.

9. The management submitted, if the Tribunal comes to the conclusion that the domestic inquiry which was held against the workman is against the Principles of Natural Justice and the findings of the inquiry officer are perverse then the management may be allowed to lead evidence to justify its action.

10. The issues are framed at Exhibit 10. The issues Nos. 1 & 2 are treated as preliminary issues. The issues and my findings thereon are as follows:—

Issues	Findings
1. Whether the domestic inquiry which was conducted against the workman was against the Principles of Natural Justice	No as far as changes under regulations 22(2), (b) & (c), but yes as per changes under Regulation 3(1).

2. Whether the findings of the inquiry officer are perverse ?

No as far as findings under Regulations 22(2)(b) & (c) but yes, as far as Regulations 3(1).

REASONS

11. Gadekar (Ex-13) affirmed that he was placed under suspension on 9-7-87 on the ground that a criminal offence against him was under investigation. He further affirmed that during the pendency of the criminal trial he was issued with a chargesheet dated 27-2-89 based on identical and similar set of facts. He requested the management to stay the domestic inquiry till the outcome of criminal proceedings. It was not accepted by the management and the inquiry continued. Ultimately he was acquitted by the Metropolitan Magistrate. The Learned Advocate for the workman argued that as the matter was not stayed the inquiry which was conducted against him was against the Principles of Natural Justice. As against that Mr. Nabar, the Learned Advocate for the management submitted that it is well settled position that there is no need to stay the domestic inquiry when the criminal case is pending. He further submitted that the alleged misconduct in the domestic inquiry is different than the offence which was alleged to be committed by the workman. It is therefore non-staying of the domestic inquiry had not resulted into non-observance of the Natural Justice.

12. Mr. Sawant, the Learned Advocate for the workman to substantiate his contention placed reliance on Mr. Paul Anthony Vs. Bharat Coal Mine Limited 1999 I CLR 1932. That was a case wherein Their Lordships considered various decisions of the Supreme Court and in Paragraph-22 of the said Judgment observed that the conclusion which are detectable from the various decisions of this court referred to above are (i) departmental proceedings and proceedings in criminal case can proceed simultaneously as there is no bar in their being conducted simultaneously though separately (ii) of the departmental proceedings and the criminal case are based on identical and similar set of facts and the charge in the criminal case against the delinquent employee is of a grave nature which involves complicated questions of law and facts it would be desirable to stop a departmental proceedings till the conclusion of the criminal case. (iii) whether the nature of the charge in the criminal case is grave and whether the complicated questions of fact and law are involved, in that case will depend upon the nature of the offence, the nature of the case launched against the employee on the basis of the evidence and the material collected against him during the investigation or as recalled in the chargesheet. (iv) the factors mentioned at 2 and 3 above cannot be considered in isolation to such a departmental proceedings but due regard is to be given to the effect that the departmental proceedings cannot be unduly delayed. (v) If the criminal case does not proceed or its disposal is being unduly delayed the departmental proceedings even if they were stayed on account of the pendency of the criminal case can be resumed and proceed with so as to conclude them at an early date so that if the employee is found not

guilty his honour may be indicated and in case he is found guilty administration may get right to punish him at the earlier.

13. The chargesheet which was issued to the workman is at [pg. 104 of Exhibit-17, list (Ex-9)]. It reads as follows :—

"He has also failed to maintain absolute integrity and devotion to duty. He has thus committed the misconduct under Regulation 3(1) of the B.P.T. Employees (Conduct) Regulation, 1976 which reads as under :—

"Regulation No. 3(1)—Every employee shall at all times, maintain absolute integrity and devotion to duty".

And he has thus rendered himself liable to be proceeded against departmentally under Regulations 8 & 12 of the B.P.T. Employees' (Classification, Control and Appeal) Regulations, 1976."

14. The F.I.R., Statement of Witnessess and Panchnas are at (pgs. 109 to 120 of Exhibit-9). The F.I.R. speaks of involvement of the workman in an offence under section 395 read with section 34 of the I.P.C. It is specifically mentioned in that F.I.R. that Accused No. 3 i.e. the workman B.P.T. driver of the BPT jeep No. BLB 6505 had driven the Matador Tempo MAS 8537 during the material time of offence. From the statement of witnessess therein it reveals that no complicated questions are involved in the matter. It can be further seen that no charge under section 395 was framed against these persons but it was under section 380 read with 34 of the IPC. That clearly goes to show that the seriousness or the gravity of the offence was further reduced. In the chargesheet of the domestic inquiry the misconduct which was alleged against the workman was taking the vehicle to other places which he was not authorised to take as he was not driver of that vehicle, and there are some other allegations also which I have already quoted in detail. I therefore find that there was no involvement of complicated questions of law or fact in a criminal case warranting of staying proceedings in a domestic inquiry. Relying on the ratio given in Pauls case I find that non-staying of the domestic inquiry in view of the pendency of the criminal case did not result into miscarriage of Principles of Natural Justice.

15. Mr. Sawant, the Learned Advocate for the workman tried to argue that he was not paid the subsistence allowance properly that is it was not increased to 75 per cent after six months of his suspension. It is therefore the inquiry which was held against him was against the Principles of Natural Justice. Mr. Nabar, the Learned Advocate for the management argued that the subsistence allowance which was paid to the workman is as per the law.

16. Exhibit-24/1 is a letter written by administrative officer to the Chief Law Officer and Advocate dtd. 11th August '99. In this letter it is shown how much subsistence grant was given to the workman from July '87 to June '91. There is increase in this subsistence allowance. It is submitted on behalf of

the workman that the increase is on account of the rise of variable D.A.'s admissible to the workman and it is not increase in the subsistence allowance. It can be further seen that there is note of administrative officer to ascertain whether there is an increase of subsistence allowance after six months.

17. Exhibit-16, pg. 30 of Exhibit-9 is the order dtd. 20th July '87 by which it is informed to him that during the period of suspension he will subject to the provisions of (b) to be entitled to the following payments viz. (i) the subsistence allowance equal to the leave salary which he would have drawn if he would have been on leave on 1/2 pay provided that whether the period of suspension exceeds six months the competent authority may in its discretion vary the subsistence allowance for any period subsequent to the period of six months as follows :

"The amount of subsistence allowance may be increased by a suitable amount not exceeding 50 per cent of the subsistence allowance admissible during the period of the first six months, if in the opinion of the said authority, the period of suspension has been prolonged for reasons to be recorded in writing not directly attributable to the employee."

18. Relying on this it is tried to argue on behalf of the management that it was in the discretion of the competent authority to increase the subsistence allowance. Non increasing of the subsistence allowance does not amount to non observance of the Principles of Natural Justice. It can be seen that there is no evidence to show that for not getting more amount than the 50% wages the workman was suffered. It is not that he was not in a position to defend his case in the domestic inquiry for not receiving more allowance.

19. Mr. Sawant, the Learned Advocate for the workman place reliance on BPCL Vs. Ramnath Jagdish Tiwari 1994 II CLR 1117. That was a case wherein Their Lordships observed that the management did not pay 75% subsistence allowance despite of the demand as per 10-A(1) of the Industrial Employment Standing Orders Act of 1946. It is therefore observed by His Lordships that the inquiry is to be vitiated on the ground that the Principles of Natural Justice are breached. Admittedly Industrial Employment Standing Orders Act of 1946 is not applicable to the Bombay Port Trust. It is therefore the ratio given in this authority has no application to the set of facts before me.

20. The workman was also charged for committing the misconduct under Regulation No. 3(i) of the BPT employees conduct regulations, 1976. In Abidullah A Latifshah Vs. Bombay Port Trust 1990 II CLR 390 His Lordships observed that the said Regulation is general and does not list specific misconduct. The petitioner which was charged with Regulation-3(1) was penalised as it does not lay down listed misconducts on the basis of which a chargesheet cannot be issued. Relying on the ratio given in this authority so far as the charge under this Regulation, the inquiry which was conducted under this charge is against the Principles of Natural Justice.

21. There are two charges against the workman for misconduct. So far as Regulation 3.1 is concerned as stated above it is not tenable and no chargesheet can be issued against that regulation. Obviously the findings given by the inquiry officer in the affirmative in respect of this regulation are perverse findings.

22. So far as the inquiry officers finding in the affirmative in respect of Regulation Nos. 22(2)(b) & (c) of the Bombay Port Trust Rules and Regulations for non-schedule staff are concerned they are not perverse and based on the evidence before the inquiry officer. The inquiry officers report

is at Exhibit-19, (pp. 307 to 327 of Exhibit-9). The inquiry officer had considered the testimony of all the witnesses. He had logically analysed their evidence and come to the proper conclusion.

23. The management had examined in all eleven witnesses. Sunil Bhosale PW-1 is a police constable; Suresh Jadhav PW-9, Police constable; Ramnath Yadav PW-10 Head constable; Suresh Walshetty PW-11, the inspector. The other witnesses viz. Mariano Antop PW-2, electrician; L. V. Sarang, PW-3, Electrical charge man; Jayant Kedre PW-4, Lineman; Ashok Dalvi PW-5, Mazdoor; Ishwar Salunkhe PW-6, Wireman; Ballappa PW-7, Driver; Yusuf Ali PW-8, Superintendent are from the BPT. They really support the case of the management that the workman was found with the Matador at a place near the container. The testimony of Subramaniam DW-1 does not help the workman.

23a. After going through the testimony of Ballappa, PW-7 it is tried to argue that his testimony reveals that on a particular time viz. at 7.35 p.m. the workman cannot be found at the place of incident. I find that the time which is mentioned is not to be taken strictly because there is likelihood of variation of some minutes here and there. That does not affect the case at all. The total effect of the evidence which is adduced is to be seen. The inquiry officer had rightly considered the testimony of these witnesses and had come to the proper conclusion. It is well settled position that coming to the wrong conclusion is not necessarily means perversity of the findings. It is something different. After going through the testimony of these witnesses and the inquiry report I do not find that there is no perversity of the findings of the inquiry officer. I therefore find that the inquiry officer's findings holding guilty to the workman for committing the misconducts punishable under Regulations 22(2)(b) & (c) of the BPT Rules and Regulations for non-schedule staff are not perverse but so far as the findings of the inquiry officer holding the workman guilty under Regulation 3(i) of BPT Employees Conduct Regulations, 1976 is concerned are perverse. In the result I record my findings on the issues accordingly and pass the following order :—

ORDER

The domestic inquiry which was conducted against the workman was as per the Principles of Natural Justice in respect of the charges under Regulations 22(2)(b) & (c) and not under Regulation-3(i).

The findings of the inquiry officer in respect of misconduct punishable under Regulations 22(2)(b) & (c) of the BPT Rules and Regulations for non-schedule staff are not perverse, but they are perverse in respect of Regulation 3(i) of the BPT Employees Conduct Regulations, 1976.

-11-1999.

S. B. PANSE, Presiding Officer

नई दिल्ली, 29 नवम्बर, 1999

का. प्रा. 3632.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स ई. सी. एल. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्विष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण से, 1 धनवाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-11-99 को प्राप्त हुआ था।

[सं. एल-20012/8/88-डॉ-4 (प) आई.आर. (सी-1)]

श्याम सुंदर गुप्ता, अवर सचिव

New Delhi: the 29th November, 1999

S.O. 3632.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No.-I, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. E.C. Ltd. and their workmen, which was received by the Central Government on 24-11-99.

[No. I-20012/8/88/D-4(A) IR(C-I)]
S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under section 10(1)(d)(2A) of the Industrial Disputes Act, 1947

Reference No. 12 of 1989

PARTIES

Employers in relation to the management of Harijam Colliery of M/s. E.C. Ltd:

AND

Their Workmen.

PRESENT :

Shri Sarju Prasad, Presiding Officer.

APPEARANCES :

For the Employers—Shri B. M. Prasad, Advocate.

For the Workmen—None.

STATE : Bihar.

INDUSTRY : Coal.

Dated, the 12th November, 1999

AWARD

By Order No. I-20012/8/88-D-4(A) dated 27th January, 1989 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the Agent of Harijam Colliery in dismissing Sri Vishu Biswal, O.B.M. with effect from 3/10th October, 1983 is justified? If not, to what relief the concerned workman is entitled to?"

2. Despite several adjournments given to the concerned workman and registered notice sent to the Union, even today none is present on behalf of the workman. It, therefore, appears that neither the concerned workman nor the sponsoring union is interested to contest the industrial dispute.

3. Under such circumstances I render a 'No Dispute' award in this reference case.

SARJU PRASAD, Presiding Officer

नई दिल्ली, 29 नवम्बर, 1999

का. प्रा. 3633.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स ई. सी. एल. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्विष्ट औद्योगिक विवाद में औद्योगिक अधिकरण अहमदाबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-11-99 को प्राप्त हुआ था।

[सं. एल-30012/51/88-आई.आर. (सी-1)]

श्याम सुंदर गुप्ता, अवर सचिव

New Delhi, the 29th November, 1999

S.O. 3633.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Ahmedabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. ONGC Ltd. and their workman, which was received by the Central Government on 18-11-1999.

[No. L-30012/51/98-IR(C-I)]
S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE SHRI P. R. DAVE, PRESIDING OFFICER
INDUSTRIAL TRIBUNAL (CENTRAL), AT AHMEDABAD

Ref. (ITC) No. 50/99

ADJUDICATION

BETWEEN

O.N.G.C. Ltd.,

Makarpura Road, Vadodara

First party

Vs.

The Workman employed under it .. Second party

In the matter of :

proposing the change of service conditions vide notice dated 29-1-98 and introducing rotational system i.e. 20 days work & 10 days off in Geophysical Field Parties etc.

APPEARANCES :

Shri None for the first party.

Shri None for the second party.

AWARD

The above-mentioned industrial dispute between Oil & Natural Gas Corporation Ltd., Baroda and the workmen employed under it has been referred for adjudication under Section 10(1)(d) of the I.D. Act, 1947 by the Desk Officer, Govt. of India, Ministry of Labour, New Delhi's Order No. BRC/5(13)/98-RLC dated 10-2-1999 to the Industrial Tribunal, Ahmedabad as per the schedule attached to the order of reference. Thereafter under an appropriate order it has been transferred to this Tribunal for proper adjudication.

During the course of proceedings notices were issued to both the parties calling upon them to file their respective statements and the matter was adjourned from time to time in the interest of justice. However none of the parties have shown interest to proceed with the matter. Hence for want of prosecution the matter is disposed of as per the following order.

ORDER

The reference stands disposed of for want of prosecution with no order as to cost.

Ahmedabad, dt. 29th October, 1999.

P. R. DAVE, Presiding Officer

नई दिल्ली, 29 नवम्बर, 1999

का. आ. 3634.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार में, लियोनी इंजीनियरिंग एंड इंडस्ट्रीज लिमि. के प्रबन्धतात्त्व के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण चैनल्स के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-11-99 को प्राप्त हुआ था।

[सं. एल-30012/127/98-प्राई आर (सी-I)]

श्याम सुंदर गुप्ता, प्रबंध सचिव

New Delhi, the 29th November, 1999

S.O. 3634.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Chennai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Triveni Engineering & Industries Ltd. and their workman, which was received by the Central Government on 18-11-1999.

[No. L-30012/127/98-IR(C-I)]
S. S. GUPTA, Under Secy

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL, TAMIL NADU
CHENNAI

Thursday, the 4th day of November, 1999

PRESENT

THIRU S. ASHOK KUMAR, M.Sc., B.I.
Industrial Tribunal

INDUSTRIAL DISPUTE NO. 53 OF 1999

(In the matter of the dispute for adjudication under section 10(1)(d) of the Industrial Disputes Act, 1947 between the workman and the management of Triveni Engineering & Industries Ltd., New Delhi.)

BETWEEN

Thiru N. J. Prim,
No. 570, S. Block, Housing Board,
Cometary Road, Old Washermanpet,
Chennai-600 021.

And

The Manager (Personnel & Administration),
Triveni Engineering & Industries Ltd.,
(Oil & Gas Division), formerly Triveni
Oil Field Services Ltd., Jeevan Tara
Buildings, Gate No. 4, First Floor,
No. 5, Parliament Street, New Delhi-110001.

REFERENCE :

Order No. L-30012/127/98-C.I., dated 15-3-1999,
Ministry of Labour, Government of India, New
Delhi.

This dispute coming on this day for final disposal in the presence of Thiru R. Viduthalai, advocate appearing for the workman upon perusing the reference, claim statement and all other material papers on record and the management being absent, this Tribunal passed the following

AWARD

This reference has been made for adjudication of the following issue :

"Whether the termination of the workman Sh. N. J. Prim by the management of Triveni Engineering & Industries Ltd., (formerly Triveni Oil Field Services Ltd.) is justified? If not, to what relief the workman entitled ?

W.W.1 examined. Ex. W-1 to W-10 marked. Claim proved. Award passed as prayed for. No costs.

Dated, this 4th day of November, 1999.

S. ASHOK KUMAR, Industrial Tribunal

WITNESSES EXAMINED

For Workman :

W.W.1—Thiru Nealin Joseph Prim.

For Management : None.

DOCUMENT MARKED

For Workman:

- Ex. W-1/28-4-89—Order of appointment issued to the workman Thiru Neslin Joseph Prim as Trainee. (xerox copy).
- Ex. W-2/3-4-90—Letter of confirmation in the revised salary. (xerox copy).
- Ex. W-3/1-3-91—Letter from Management to the workman reg. revision of compensation. (xerox copy).
- Ex. W-4/7-4-91—Subsequent revision to workman. (xerox copy).
- Ex. W-5/23-11-91—Intimation to the workman regarding revision of compensation. (xerox copy).
- Ex. W-6/10-2-92—Order of promotion issued to the workman. (xerox copy).
- Ex. W-7/1-4-93—Intimation to the workman regarding salary increase. (xerox copy).
- Ex. W-8/23-7-94—Intimation to the workman regarding salary revision. (xerox copy).
- Ex. W-9/11-7-95—Performance certificate issued to the workman. (xerox copy).
- Ex. W-10/4-4-96—Letter of dehiring. (xerox copy).

For Management: Nil.

नई दिल्ली, 29 नवम्बर, 1999

का. आ. 3635.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा भारत के राजपत्र, असाधारण, भाग-2, खण्ड 3(ii) में दिनांक 8 जून, 1995 को प्रकाशित भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या 509(अ), दिनांक 8 जून, 1995 में निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में इस “इस प्रयोजनार्थ केन्द्रीय सरकार द्वारा धारा 4 के खण्ड (क) के अंतर्गत केन्द्रीय सरकार द्वारा नियुक्त” शीर्षक के तहत “श्रम राज्य मंत्री” शब्दों के स्थान पर “केन्द्रीय श्रम मंत्री” शब्दों को प्रतिस्थापित किया जाएगा।

[सं. यू. 16012/2/95-एस. एस.-I]

जे. पी. शुक्ला, उप सचिव

New Delhi, the 29th November, 1999

S.O. 3635.—In exercise of the powers conferred by Section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour No. 509(E), dated the 8th June, 1995 published in the Gazette of India, Extraordinary, Part-II, Section-3(ii) dated the 8th June, 1995;

In the said notification under the heading Appointed by the Central Government under clause (a) of Section 4 for the words “Minister of State for Labour” the words “Minister for Labour” shall be substituted.

[No. U-16012/2/95-SS.I.]
J. P. SHUKLA, Dy. Secy.

नई दिल्ली, 29 नवम्बर, 1999

का. आ. 3636.—कर्मचारी भविष्य निधि एवं प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 5 ‘क’ की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा दिनांक 10 अप्रैल, 1997 को भारत के राजपत्र, असाधारण, भाग II खण्ड 3, उपखण्ड (ii) में प्रकाशित श्रम मंत्रालय, भारत सरकार के का. आ. 321 (अ) दिनांक 9 अप्रैल, 1997 की अधिसूचना में निम्नलिखित संशोधन करती है —

उक्त अधिसूचना में ‘श्रद्धार्थक’ शीर्षक के अंतर्गत ‘श्रम राज्य मंत्री’ शब्दों के स्थान पर ‘श्रम मंत्री’ शब्द प्रतिस्थापित किए जायेंगे।

[सं. वी-20012/1/97-एस. एस.-II]

जे. पी. शुक्ला, उप सचिव

New Delhi, the 29th November, 1999

S.O. 3636.—In exercise of the powers conferred by sub-section (1) of Section 5-A of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) the Central Government hereby makes the following amendment in the Notification of the Government of India in the Ministry of Labour S.O. 321(E), dated the 9th April, 1997 published in Part-II, Section-3 sub-section (ii) of the Gazette of India Extraordinary dated 10th April, 1997 :—

In the said notification under the heading “Chairman” for the words “Minister of State for Labour” the words “Minister for Labour” shall be substituted.

[No. V-20012/1/97-SS.II.]

J. P. SHUKLA, Dy. Secy.

नई दिल्ली, 6 दिसम्बर, 1999

अधिसूचना

का.आ. 3637.—जबकि मैसर्स एस्ट्रो-आई.डी.एल. लिमिटेड, बंगलौर-के एन/241 (इसके पश्चात् उक्त स्थापना के रूप में संदर्भित) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के अन्तर्गत बनाई गई कर्मचारी भविष्य निधि योजना के पैरा 27-के तहत छूट प्राप्त करने के लिए आवेदन किया है।

और जबकि केन्द्र सरकार की राय में उक्त स्थापना के कर्मचारियों के लिए तैयार किए गए भविष्य निधि नियमों में अंशदान की दर उक्त अधिनियम की धारा 6 में उल्लिखित कर्मचारी अंशदान की दर से कम नहीं है तथा इसके कर्मचारियों को मिलने वाले भविष्य निधि लाभ उक्त अधिनियम तथा कर्मचारी भविष्य निधि स्कीम, 1952 (इसके प्रागे जहां भी स्कीम शब्द का प्रयोग विया गया है उससे अभिप्रय उक्त स्कीम से है) में उल्लिखित लाभों से किसी प्रकार से कम नहीं है जो इस वर्ग की स्थापनाओं में कार्यरत कर्मचारियों को उपलब्ध है।

अतः, अब उक्त योजना के पैरा 27-क के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और संलग्न अनुसूची में वर्णित शर्तों के अधीन केन्द्रीय सरकार इसके द्वारा उक्त स्थापना में प्रबन्धकीय/प्रशासनिक पद धारित अधिकारियों को कर्मचारियों की श्रेणी के रूप से उक्त स्कीम के सभी उपबन्धों के लागू होने से छूट प्रवान करती है।

अनुसूची

1. उक्त स्थापना से संबंधित नियोक्ता केन्द्र सरकार के द्वारा समय-समय पर दिए गए निदेश के अनुसार उक्त अधिनियम में कर्मचारी भविष्य नियोजना, 1952 के पैरा-27-क के अधीन ऐसे निरीक्षण के लिए सुविधाएं प्रदान करेगा और ऐसे निरीक्षण प्रभार की अदायगी प्रत्येक माह की समाप्ति के 15 दिन के अन्दर करेगा।

2. गैर छूट प्राप्त स्थापनाओं के संबंध में उक्त अधिनियम और उनके अधीन सूजित उक्त स्कीम के अन्तर्गत देय अंशदान की दर से स्थापना के भविष्य नियंत्रणों के अन्तर्गत देय अंशदान की वर किसी समय भी कम न होगी।

3. पेशागियों के मामले में छूट प्राप्त स्थापना की स्कीम कर्मचारी भविष्य नियंत्रण स्कीम, 1952 से कम हितकर नहीं होगी।

4. उक्त स्कीम में कोई भी संशोधन जो स्थापना के बहिर्भान नियमों से कर्मचारियों के लिए अधिक लाभकारी है उन पर अपने आप लागू किया जाएगा। उक्त स्थापना के भविष्य नियंत्रण नियमों में कोई भी संशोधन, क्षेत्रीय भविष्य नियंत्रण आयुक्त की पूर्व अनुमति के बगैर नहीं किया जाएगा। क्षेत्रीय भविष्य नियंत्रण आयुक्त अनुमति देने से पूर्व, कर्मचारियों को अपने विचार प्रस्तुत करने का उचित अवसर देगा।

5. यदि स्थापना को छूट न दी जाती तो वे सभी कर्मचारी (जैसे उक्त अधिनियम की धारा 2(च) में निश्चित किया गया है) जो सदस्य बनने के पात्र होते सदस्य बनाए जाएंगे।

6. जहां एक कर्मचारी जो कर्मचारी भविष्य नियंत्रण (कानूनी) या किसी अन्य छूट प्राप्त स्थापना की भविष्य नियंत्रण का पहले से सदस्य है, को अपनी स्थापना में काम पर लगाया जाता है तो नियोक्ता उसे नियंत्रण का सुरक्षा सदस्य बनाएगा और ऐसे कर्मचारी के पिछले नियोक्ता के पास भविष्य नियंत्रण लेखे में संचयों को अंतरित कराने और उसके लेखे में जमा कराने की व्यवस्था करेगा।

7. केन्द्रीय भविष्य नियंत्रण आयुक्त के द्वारा अथवा केन्द्रीय सरकार के द्वारा जैसा भी मामला हो, समय-समय पर दिए गए निदेशों के अनुसार भविष्य नियंत्रण के प्रबन्ध के लिए नियोक्ता न्यासी बोर्ड की स्थापना करेगा।

8. भविष्य नियंत्रण, न्यासी बोर्ड में निर्वहित होगी जो अन्य बातों के साथ-साथ भविष्य नियंत्रण में आय के और भविष्य नियंत्रण से अदायगियों के उचित लेखों और उनकी अभिभावक में बकाया के लिए कर्मचारी भविष्य नियंत्रण संगठन के प्रति उत्तरदायी होगा।

9. न्यासी बोर्ड कम से कम 3 माह में एक बार बैठक करेगा और केन्द्र सरकार केन्द्रीय भविष्य नियंत्रण आयुक्त या उसके द्वारा प्राधिकृत किसी अधिकारी द्वारा समय-समय पर जारी किए गए मार्गनिर्देशों के अनुसार कार्य करेगा।

10. न्यासी बोर्ड द्वारा रखे गए भविष्य नियंत्रण लेखे अर्हता प्राप्त निष्पक्ष चार्टर्ड अकाउन्टेन्ट द्वारा वार्षिक लेखा परीक्षा के अध्यीन होंगे। जहां आवश्यक समझा जाये केन्द्रीय भविष्य नियंत्रण आयुक्त को किसी अन्य अर्हता प्राप्त लेखा परीक्षक द्वारा लेखों की पुनः लेखा परीक्षा कराने का अधिकार होगा और इस पर हुआ व्यय नियोक्ता द्वारा बहन किया जाएगा।

11. प्रत्येक वर्ष, स्थापना के लेखा परीक्षित तुलन-पत्र के साथ लेखा परीक्षित वार्षिक भविष्य नियंत्रण लेखों की एक प्रति वित्तीय वर्ष की समाप्ति के छ: माह के अन्दर क्षेत्रीय भविष्य नियंत्रण आयुक्त को प्रस्तुत की जाएगी। इस प्रयोजन के लिए भविष्य नियंत्रण का वित्तीय वर्ष पहली प्रत्रैल से 31 मार्च तक होगा।

12. नियोक्ता, प्रतिमाह भविष्य नियंत्रण में उसके द्वारा अंशदान और कर्मचारियों के अंशदानों को आगामी माह की 15 तारीख तक न्यासी बोर्ड को अंतरित कर देगा। अंशदानों की विलम्ब से अदायगी करने के लिए समान परारस्थितियों में नियोक्ता नुकसानी देने का उसी प्रकार उत्तरदायी होगा जिस प्रकार एक न-छूट प्राप्त स्थापना उत्तरदायी होती है।

13. न्यासी बोर्ड सरकार द्वारा समय-समय पर दिए गए निदेशों के अनुसार नियंत्रण में जमा राशियों का निवेश करेगा। प्रतिभूतियां न्यासी बोर्ड के नाम पर प्राप्त की जायेंगी और भारतीय रिजर्व बैंक के जमा नियंत्रण में अनुच्छेदित बैंक की अभिभावक में रखी जाएंगी।

14. सरकार के निदेशों के अनुसार निवेश न करने पर न्यासी बोर्ड अनग-अनग रूप से और एक साथ केन्द्रीय भविष्य नियंत्रण आयुक्त या उसके प्रतिनिधियों द्वारा लगाए गए अधिभाव के लिए उत्तरदायी होंगे।

15. न्यासी बोर्ड एक वस्तु-व्यौरा रजिस्टर तंत्र बनाए गए और व्याज की समय पर वसूली मुनाफ़िकत करेगा।

16. न्यासी बोर्ड प्रत्येक कर्मचारी के संबंध में जमा किये गये, निकाले गये अंशदान और व्याज के संबंध में विस्तृत लेखे रखेगा।

17. वित्तीय/लेखा वर्ष की समाप्ति के छ: माह के अन्दर बोर्ड प्रत्येक कर्मचारी को वार्षिक विवरण जारी करेगा।

18. बोर्ड प्रत्येक कर्मचारी को वाष्पिक सेवा विवरण के स्थान पर आसन्न जारी कर सकता है। ये पाता-बुक कर्मचारियों की प्रभिरक्षा में रहीं और कर्मचारियों के द्वारा प्रस्तुत करने पर बोर्ड के द्वारा इन्हें प्रक्षतन किया जाएगा।

19. लेखा वर्ष के पहले दिन आदि शेष पर प्रत्येक कर्मचारी के लिए में याज उस दर से जमा किया जाएगा (जिसका न्यासी बोर्ड नियां करें परन्तु यह उक्त स्कीम के पैरा 60 के अन्तर्गत केन्द्रीय सरकार द्वारा घोषित दर से कम नहीं होगा)।

20. यदि न्यासी बोर्ड केन्द्रीय सरकार द्वारा घोषित दर की दर, उस कारण से कि निवेश पर आय कम है या किसी अत्यंत कारण से अदा करने में असमर्थ है तो उस की को नियोक्ता पूरा करेगा।

21. नियोक्ता भविष्य निधि की चोरी के कारण, लट्टू-खोट, रखाना, गवन, अपवा किसी अत्यंत कारण से ही हानि को भी पूरा करेगा।

22. नियोक्ता और न्यासी बोर्ड, खेतीय भविष्य निधि आयकूत को ऐसी विवरणियां प्रस्तुत करेंगे जो समय-साथ पर केन्द्रीय सरकार केन्द्रीय भविष्य निधि आयकूत निर्धारित करें।

23. उक्त स्कीम के रिंग 69 फैली पर किसी कर्मचारी को निधि के नियन्त्रण न रहने पर यदि स्थापना के मविष्य निधि नियमों में नियोक्ताओं के अंशदानों को जमा करने की व्यवस्था है तो न्यासी बोर्ड इस प्रकार 1-1-90 से पूर्ण जटा की गई शाखियों का अलग से लेखा तैयार करेगा और ऐसे प्रयोजनों के नियुक्त उपयोग करेगा जो केन्द्रीय भविष्य निधि आयकूत की पूर्व अनुमति गे नियन्त्रित किया गया हो।

24. स्थापना के भविष्य निधि नियमों में निर्दिष्ट किसी बात के होने हुए भी यदि किसी धर्यक्त के सेवा निवृत्ति होने के फलस्वरूप या किसी अन्य प्रतिष्ठान में नौकरी करने पर निधि की सवरणगा समाप्त हो जाती है या पता लगता है कि प्रतिष्ठान में भविष्य निधि नियमों के अन्तर्गत अंशदान की दर समपहरण की दर आदि सांविधिक योजना के अन्तर्गत दी गई दरों की तुलना में कम अनुकूल है तो अन्दर का वहन नियोक्ता द्वारा किया जाएगा।

25. नियोक्ता भविष्य निधि के प्रशासन से संबंधित सभी खर्च जिसमें लेखां के रखरखाव, रिटर्न प्रस्तुत किए जाने, राशियों का अन्तरण शामिल है, वहन करेगा।

26. नियोक्ता समूचित प्राधिकारी द्वारा अनुमोदित निधि के नियमों को एक प्रति तथा जब भी कोई संशोधन होता है, उसकी मुराय बातों को कर्मचारियों के बहुमत की भाषा में अनुवाद करके स्थापना के बोर्ड पर लगाएगा।

27. "समूचित सरकार" स्थापना की चालू छूट को जारी जाने के लिए और पहले लगा सकती है।

28. यदि उक्त अधिनियम के अन्तर्गत भविष्य निधि अंशदान की दर बढ़ायी जाती है, तो कर्मचारी भविष्य निधि अंशदान की दर उचित रूप में बढ़ाएगा, ताकि उक्त अधिनियम के अन्तर्गत दिए जाने वाले लाभों से स्थापना की स्कीम के अन्तर्गत दिए जाने वाले भविष्य निधि के लाभ किसी भी प्रकार से कम न हों।

29. उक्त शर्तों में से किसी एक के उल्लंघन पर छूट रद्द की जा सकती है।

[सं. आर-11025/2/98-एस.एस.-II]
जय प्रकाश शुक्ल, उप सचिव

New Delhi, the 6th December, 1999

S.O. 3637.—Whereas Messrs. Astra IDL Limited, Bangalore-KN/241 (hereinafter referred to as the said establishment) has applied for exemption under para 27A of the Employees' Provident Funds Scheme 1952 framed under the Employees' Provident Funds & Miscellaneous Provisions Act, 1952, (19 of 1952) (hereinafter referred to as the said Act).

And whereas in the opinion of the Central Government the rules of the Provident Fund of the said establishment with respect to the rates of contribution are not less favourable to employees therein than those specified in Section 6 of the said Act and the employees are also in enjoyment of other provident fund benefits which on the whole are not less favourable to the employees than the benefits provided under the said Act or under the Employees' Provident Fund Scheme, 1952 (hereinafter referred to as the said scheme) in relation to the employees in any other establishment of a similar character;

Now, therefore, in exercise of the powers conferred under para 27A of the said scheme and subject to the conditions specified in the Schedule annexed hereto the Central Government hereby exempts the officers as a class of the employees holding managerial/administrative posts in the said establishment from the operation of all the provisions of the said Scheme.

SCHEDULE

1. The employer in relation to the said establishment shall provide for such facilities for inspection and pay such inspection charges as the Central Government may from time to time direct under para 27A of the E.P.F. Scheme 1952 of the said Act within 15 days from the close of every month.

2. The rate of contribution payable under the provident fund rules of the establishment shall at no time be lower than those payable under the said Act in respect of the unexempted establishment and the said Scheme framed thereunder.

3. In the matter of advances, the scheme of the exempted establishments shall not be less favourable than the Employees' Provident Fund Scheme, 1952.

4. Any amendment to the said scheme which is more beneficial to the employees than the existing rules of the establishment shall be made applicable to them automatically. No amendment of the rules of the Provident Fund of the said establishment shall be made without the previous approval of the Regional Provident Fund Commissioner and where any amendment is likely to affect adversely the interest of the employees of the said establishment, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their points of view.

5. All employees (as defined in section 2(f) of the said Act) who would have been eligible to become members of the Provident Fund had the establishment not been granted exemption shall be enrolled as members.

6. Where an employee who is already a member of the Employees' Provident Fund (Statutory) or a Provident Fund of any other exempted establishment is employed in his establishment, the employer shall immediately enroll him as a member of the fund and arrange to have the accumulations in the provident fund account of such employee with his previous employer transferred and credited to his account.

7. The employer shall establish a Board of Trustees for the management of the provident fund according to such directions as may be given by the Central Provident Fund Commissioner or by the Central Government, as the case may be, from time to time.

8. The provident fund shall vest in the Board of Trustees who will be responsible for and accountable to the Employees' Provident Fund Organisation inter-alia for proper accounts of the receipts into and payments from the Provident Fund and the balances in their custody.

9. The Board of Trustees shall meet at least once in every three months and shall function in accordance with the guidelines that may be issued from time to time by the Central Government/Central Provident Fund Commissioner or any officer authorised by him.

10. The accounts of the Provident Fund maintained by the Board of Trustees shall be subject to audit by a qualified independent Chartered Accountant annually. Where considered necessary, the Central Provident Fund Commissioner shall have the right to have the accounts reaudited by any other qualified auditor and the expenses so incurred shall be borne by the employer.

11. A copy of the audited annual provident fund accounts together with the audited balance sheet of the establishment for each accounting year shall be submitted to the Regional Provident Fund Commissioner within six months after the close of the financial year, for this purpose the financial year of the provident fund shall be from the 1st of April to the 31st of March.

12. The employer shall transfer to the Board of Trustees the contributions payable to the Provident Fund by himself and the employees by the 15th of each month following the month for which the contributions are payable. The employer shall be liable to pay damages to the Board of Trustees for any delay in payment of the contributions in the same manner as an un-exempted establishment is liable under similar circumstances.

13. The Board of Trustees shall invest the monies in the fund as per directions that may be given by the Government from time to time. The securities shall be obtained in the name of the Board of Trustees and shall be kept in the custody of a scheduled Bank under the credit control of the Reserve Bank of India.

14. Failure to make investments as per directions of the Government shall make the Board of Trustees severally and jointly liable to surcharge as may be imposed by the Central Provident Fund Commissioner or his representative.

15. The Board of Trustees shall maintain a scriptwise register and ensure timely realisation of interest.

16. The Board of Trustees shall maintain detailed accounts to show the contributions credited, withdrawal and interest in respect of each employee.

17. The Board shall issue an annual statement of accounts to every employee within six months of the close of financial/accounting year.

18. The Board may instead of the annual statement of accounts, issue pass books to every employee. These pass books shall remain in the custody of the employees and will be brought up-to-date by the Board on presentation by the employees.

19. The accounts of each employee shall be credited with interest calculated on the monthly running balance as on the 1st day of the accounting year at such rate as may be decided by the Board of Trustees but shall not be lower than the rate declared by the Central Government under para 60 of the said Scheme.

20. If the Board of Trustees are unable to pay interest at the rate declared by the Central Government for the reason that the return on investment is less or for any other reason then the deficiency shall be made good by the employer.

21. The employer shall also make good any other loss, that may be caused to the Provident Fund due to theft, burglary, defalcation, misappropriation or any other reason.

22. The employer as well as the Board of Trustees shall submit such returns to the Regional Provident Fund Commissioner at the Central Government/Central Provident Fund Commissioner may prescribe from time to time.

23. If the Provident Fund rules of the establishment provide for forfeiture of the employees' contributions in cases where an employee ceases to be a member of the fund on the lines of para 69 of the said Scheme, the Board of Trustees shall maintain a separate account of the amounts so forfeited and may utilise the same for such purposes as may be determined with the prior approval of the Central Provident Fund Commissioner.

24. Notwithstanding anything contained in the Provident Fund Rules of the establishment, if on the cessation of any individual from the membership of the fund consequent on retiring from service or on taking up the employment in some other establishment, it is found that the rate of contribution rate of forfeiture etc., under the P.F. Rules of the establishment are less favourable as compared to those under the statutory Scheme, the difference shall be borne by the employer.

25. The employer shall bear all the expenses of the administration of the Provident Fund including the maintenance of accounts, submission of returns, transfer of accumulations.

26. The employer shall display on the notice board of the establishment, a copy of the rules of the fund as approved by the appropriate authority as and when amended thereto alongwith translation of the salient points thereof in the language of the majority of the employees.

27. The "appropriate Government" may lay down any further conditions for continued exemption of the establishment.

28. The employer shall enhance the rate of provident fund contributions appropriately if the rate of provident fund contribution is enhanced under the said Act so that the benefits under the provident fund Scheme of the establishment shall not become less favourable than the benefits provided under the said Act.

29. The exemption is liable to be cancelled for violation of any of the above conditions.

सर्वे दिल्ली, 6 दिसम्बर, 1999

का.आ. 3638:—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एटद्वारा 01 जनवरी, 2000 की उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 अध्याय-5 और 6 (धारा-76 की उप धारा-(1) और धारा 77, 78, 79 और 91 के सिवाय जो पहले ही प्रवृत्त की जा चुकी हैं) के उपबंध आनंद प्रदेश राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्:—

“आनंद प्रदेश के रंगारेहु जिले में शमशाबाद गंडल के राजस्व भ्रम सातमराय के अन्तर्गत आने वाले सभी क्षेत्र”।

[सं. : एस-38013/33/99-एस.एस.-1]

जे. पी. शुक्ला, उप सचिव

New Delhi, the 6th December, 1999

S.O. 3638.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st January, 2000 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (i) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Andhra Pradesh, namely:—

“All the areas falling within the limits of Revenue village of Satamrai in Shamshabad Mandal of Rangareddy District in Andhra Pradesh.

[No. S-38013/33/99-SS-I]

J. P. SHUKLA, Dy. Secy.

सर्वे दिल्ली, 9 दिसम्बर, 1999

का.आ. 3639:—कर्मचारी राज्य बीमा अधिनियम 1948 (1948 का 34) की धारा 1 की उप धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एटद्वारा 01 जनवरी 2000 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (धारा 44 व 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) तथा अध्याय-5 और 6 (धारा-76 की उप धारा (1) और धारा-77, 78, 79 और 3 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबंध उत्तर प्रदेश राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्:—

“जिला सुल्तानपुर में परगना जगदीशपुर के राजस्व

भ्रम—कमरौली और पालपुर तथा परगना और तहसील मुसाफिर खाना में उत्तेलवा”।

[सं. : एस-38013/34/99-एस.एस.-1]

जे. पी. शुक्ला, उप सचिव

New Delhi, the 9th December, 1999

S.O. 3639.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st January, 2000 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (i) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force, in the following areas in the State of Uttar Pradesh namely :

“Revenue villages of Kamrauli and Palpur in Pargana-Jagdishpur and Utelwa in Pargana and Tehsil Musafirkhana, District Sultanpur.”

[No. S-38013/34/99-SS.I]

P. J. SHUKLA, Dy. Secy.

सर्वे दिल्ली, 7 दिसम्बर, 1999

का.आ. 3640:—केन्द्रीय सरकार के संतुष्ट हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, श्रौद्धोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (d) के उपखंड (iv) के उपबंधों के अनुसरण में भारत सरकार के धम मंत्रालय की अधिसूचना संख्या का.आ. 1592 विनांक 26 मई, 1999 द्वारा भारतीय खात निगम को उक्त अधिनियम के प्रयोजनों के लिए 7 जून, 1999 से छह मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था,

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छह मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है,

अतः अब, श्रौद्धोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (d) के उपखंड (iv) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों लिए 7 दिसम्बर, 1999 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[फा. सं. एस-11017/5/91-आई.आर. (पी. एस.)]

एच. सी. गुप्ता, अबर सचिव

New Delhi, the 7th December, 1999

S.O. 3640.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S.O. No. 1592 dated the 26th May, 1999 services in the Food Corporation of India to be a public utility service for the purpose of the said Act, for a period of six months from the 7th June, 1999;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act for a period of six months from the 7th December, 1999.

[No. S-11017/5/91-IR(PL)]
H. C. GUPTA, Under Secy.

नई दिल्ली, 10 दिसम्बर, 1999

का.आ. 3641:—केन्द्रीय सरकार संतुष्ट हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (d) के उपखंड (vi) के उपबंधों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.आ. 1591 दिनांक 26 मई 1999 द्वारा भारतीय रिजर्व बैंक नोट मुद्रण लि., मैसूर (कर्नाटक) एवं साल्वोनी (पं. बंगल) को उक्त अधिनियम के प्रयोजनों के लिए 17 जून, 1999 से छह मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छह मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है,

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (d) के उपखंड (vi) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 17 दिसम्बर, 1999 से ४ मास की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[का. सं. एस.-11017/2/96-आई.आर. (पी.ए.ल.)]

एच. सी. गुप्ता, अवर सचिव

New Delhi, the 10th December, 1999

S.O. 3641.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S.O. No. 1591 dated the 26th May, 1999 the services in Bhartiya Reserve Bank Note Mudran Limited at Mysore (in Karnataka) and Salboni (in West Bengal) to be a public utility service for the purpose of the said Act, for a period of six months from the 17th June, 1999;

And whereas, the Central Government is of opinion that public interest requires the extention of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act for a period of six months from the 17th December, 1999.

[No. S-11017/2/96-IR(PL)]
H. C. GUPTA, Under Secy.

नई दिल्ली, 10 दिसम्बर, 1999

का.आ. 3642:—केन्द्रीय सरकार संतुष्ट हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (d) के उपखंड (vi) के उपबंधों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.आ. 1665 दिनांक 2 जून, 1999 द्वारा सीमेंट उद्योग में सेवा को उक्त अधिनियम के प्रयोजनों के लिए 18 जून, 1999 से छह मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छह मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है;

अतः अब औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (d) के उपखंड (vi) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 18 दिसम्बर, 1999 से ४ मास की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[का. सं. एस.-11017/12/97-आई.आर. (पी.ए.ल.)]

एच. सी. गुप्ता, अवर सचिव

New Delhi, the 16th December, 1999

S.O 3642.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S.O No. 1665 dated the 2nd June, 1999 the services in the Cement Industry to be a public utility service for the purpose of the said Act, for a period of six months from the 18th June, 1999;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act for a period of six months from the 18th December, 1999.

[No. S-11017/12/97-IR(PL)]

H. C. GUPTA, Under Secy.